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MUTUAL DEFENSE ASSISTANCE ACT OF 1949

PRESIDENT TRUMAN SIGNS ACT

Statement by the President

[Released to the press
by the White House October 6]

I have just signed the Mutual Defense Assistance Act of 1949. This is a notable contribution to the collective security of the free nations of the world. It is one of the many steps we are taking with other free peoples to strengthen our common defense in furtherance of the principles of international peace and order enshrined in the Charter of the United Nations.

The dominant objective of our foreign policy is to create peaceful and stable conditions throughout the world, so that men may lead happier and more fruitful lives. This objective cannot, however, be achieved if the economic efforts of free men are overshadowed by the fear of aggression. By strengthening the common defense this act will do much to allay that fear. The security which this act offers will aid in promoting the economic welfare of the free nations and in restoring their confidence in a peaceful and prosperous future.

Since the ratification of the North Atlantic Treaty, the countries of the North Atlantic community have made considerable progress in working together for their mutual security. Their combined activity will do much to increase the effectiveness of the assistance to be provided under this act. Further progress in these arrangements for the common defense will make it possible to provide the full measure of protection which this act offers to this country and other nations.

Recent developments in the field of armaments have strengthened the free nations in their adherence to the principle of a common defense—the principle that underlies this act. By emphasizing the common determination of free nations to protect themselves against the threat or fear of aggression, the Mutual Defense Assistance Act will strengthen the peace of the world.

This act is necessary only because of the unset-

tled conditions of the world today which we, in concert with many other nations, are striving to overcome. It is my belief that we shall be successful in these efforts to achieve international understanding and to establish, in accordance with our national policy, effective international control and reduction of armaments, through the United Nations.

FULL APPROPRIATIONS ASKED

[Released to the press
by the White House October 10]

The President today requested Congress to appropriate the full amount authorized in the recently passed Mutual Defense Assistance Act of 1949 to provide military assistance to foreign nations.

The request includes an appropriation of \$814,010,000 and authority to enter into contracts in the amount of 500 million dollars.

The bulk of the funds will be used to provide military aid to those North Atlantic Treaty countries which request aid. Until recommendations by the North Atlantic Council and its Defense Committee for an integrated defense of the North Atlantic area have been approved by the President, only 100 million dollars will be available to provide aid to those countries. Funds to continue the Greek-Turkish program are included in the appropriation. Military assistance will be made available also to Iran, Korea, and the Philippines. Finally, 75 million dollars will be provided to carry out the purposes and policies of the act in the general area of China.

This new step in United States foreign policy recently approved by the Congress must be supported by the appropriation of funds to carry out the very important objectives of the act. It is essential to strengthen effectively the defensive establishments of free nations that are associated with us in the effort to create a world free of the fear of aggression.

TEXT OF THE ACT¹

An act to promote the foreign policy and provide for the defense and general welfare of the United States by furnishing military assistance to foreign nations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Mutual Defense Assistance Act of 1949".

FINDINGS AND DECLARATION OF POLICY

The Congress of the United States reaffirms the policy of the United States to achieve international peace and security through the United Nations so that armed force shall not be used except in the common interest. The Congress hereby finds that the efforts of the United States and other countries to promote peace and security in furtherance of the purposes of the Charter of the United Nations require additional measures of support based upon the principle of continuous and effective self-help and mutual aid. These measures include the furnishing of military assistance essential to enable the United States and other nations dedicated to the purposes and principles of the United Nations Charter to participate effectively in arrangements for individual and collective self-defense in support of those purposes and principles. In furnishing such military assistance, it remains the policy of the United States to continue to exert maximum efforts to obtain agreements to provide the United Nations with armed forces as contemplated in the Charter and agreements to achieve universal control of weapons of mass destruction and universal regulation and reduction of armaments, including armed forces, under adequate safeguards to protect complying nations against violation and evasion.

The Congress hereby expresses itself as favoring the creation by the free countries and the free peoples of the Far East of a joint organization, consistent with the Charter of the United Nations, to establish a program of self-help and mutual cooperation designed to develop their economic and social well-being, to safeguard basic rights and liberties and to protect their security and independence.

The Congress recognizes that economic recovery is essential to international peace and security and must be given clear priority. The Congress also recognizes that the increased confidence of free peoples in their ability to resist direct or indirect aggression and to maintain internal security will advance such recovery and support political stability.

Title I

NORTH ATLANTIC TREATY COUNTRIES

SEC. 101. In view of the coming into force of the

¹ Public Law 329, 81st Cong.

North Atlantic Treaty and the establishment thereunder of the Council and the Defense Committee which will recommend measures for the common defense of the North Atlantic area, and in view of the fact that the task of the Council and the Defense Committee can be facilitated by immediate steps to increase the integrated defensive armed strength of the parties to the treaty, the President is hereby authorized to furnish military assistance in the form of equipment, materials, and services to such nations as are parties to the treaty and have heretofore requested such assistance. Any such assistance furnished under this title shall be subject to agreements, further referred to in section 402, designed to assure that the assistance will be used to promote an integrated defense of the North Atlantic area and to facilitate the development of defense plans by the Council and the Defense Committee under article 9 of the North Atlantic Treaty and to realize unified direction and effort; and after the agreement by the Government of the United States with defense plans as recommended by the Council and the Defense Committee, military assistance hereunder shall be furnished only in accordance therewith.

SEC. 102. There are hereby authorized to be appropriated to the President for the period through June 30, 1950, out of any moneys in the Treasury not otherwise appropriated, for carrying out the provisions and accomplishing the policies and purposes of this title, not to exceed \$500,000,000, of which not to exceed \$100,000,000 shall be immediately available upon appropriation, and not to exceed \$400,000,000 shall become available when the President of the United States approves recommendations for an integrated defense of the North Atlantic area which may be made by the Council and the Defense Committee to be established under the North Atlantic Treaty. The recommendations which the President may approve shall be limited, so far as expenditures by the United States are concerned, entirely to the amount herein authorized to be appropriated and the amount authorized hereinafter as contract authority.

SEC. 103. In addition to the amount authorized to be appropriated under section 102, the President shall have authority, within the limits of specific contract authority which may be hereafter granted to him in an appropriation Act, to enter into contracts for carrying out the provisions and accomplishing the policies and purposes of this title in amounts not exceeding in the aggregate \$500,000,000 during the period ending June 30, 1950, and there are hereby authorized to be appropriated for expenditure after June 30, 1950, such sums as may be necessary to pay obligations incurred under such contract authorization. No contract authority which may be granted pursuant to the provisions of this section shall be exercised by the President until such time as he has approved recommendations for an integrated defense of the North Atlantic area which may be made by the

Council and the Defense Committee to be established under the North Atlantic Treaty.

SEC. 104. None of the funds made available for carrying out the provisions of this Act or the Act of May 22, 1947, as amended, shall be utilized (a) to construct or aid in the construction of any factory or other manufacturing establishment outside of the United States or to provide equipment or machinery (other than machine tools) for any such factory or other manufacturing establishment, (b) to defray the cost of maintaining any such factory or other manufacturing establishment, (c) directly or indirectly to compensate any nation or any governmental agency or person therein for any diminution in the export trade of such nation resulting from the carrying out of any program of increased military production or to make any payment, in the form of a bonus, subsidy, indemnity, guaranty, or otherwise, to any owner of any such factory or other manufacturing establishment as an inducement to such owner to undertake or increase production of arms, ammunition, implements of war, or other military supplies, or (d) for the compensation of any person for personal services rendered in or for any such factory or other manufacturing establishment, other than personal services of a technical nature rendered by officers and employees of the United States for the purpose of establishing or maintaining production by such factories or other manufacturing establishments to effectuate the purposes of this Act and in conformity with desired standards and specifications.

Title II

GREECE AND TURKEY

SEC. 201. In addition to the amounts heretofore authorized to be appropriated, there are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, not to exceed \$211,370,000 to carry out the provisions of the Act of May 22, 1947, as amended, for the period through June 30, 1950.

Title III

OTHER ASSISTANCE

SEC. 301. The President, whenever the furnishing of such assistance will further the purposes and policies of this Act, is authorized to furnish military assistance as provided in this Act to Iran, the Republic of Korea, and the Republic of the Philippines.

SEC. 302. There are hereby authorized to be appropriated to the President for the period through June 30, 1950, out of any moneys in the Treasury not otherwise appropriated, for carrying out the provisions and accomplishing the purposes of section 301, not to exceed \$27,640,000.

SEC. 303. In consideration of the concern of the United States in the present situation in China, there is hereby authorized to be appropriated to

the President, out of any moneys in the Treasury not otherwise appropriated, the sum of \$75,000,000 in addition to funds otherwise provided as an emergency fund for the President, which may be expended to accomplish in that general area the policies and purposes declared in this Act. Certification by the President of the amounts expended out of funds authorized hereunder, and that it is inadvisable to specify the nature of such expenditures, shall be deemed a sufficient voucher for the amounts expended.

Title IV

GENERAL PROVISIONS

SEC. 401. Military assistance may be furnished under this Act, without payment to the United States except as provided in the agreements concluded pursuant to section 402, by the provision of any service, or by the procurement from any source and the transfer to eligible nations of equipment, materials, and services: *Provided*, That no equipment or materials may be transferred out of military stocks if the Secretary of Defense, after consultation with the Joint Chiefs of Staff, determines that such transfer would be detrimental to the national security of the United States or is needed by the reserve components of the armed forces to meet their training requirements.

SEC. 402. The President shall, prior to the furnishing of assistance to any eligible nation, conclude agreements with such nation, or group of such nations, which agreements, in addition to such other provisions as the President deems necessary to effectuate the policies and purposes of this Act and to safeguard the interests of the United States, shall make appropriate provision for—

(a) the use of any assistance furnished under this Act in furtherance of the policies and purposes of this Act;

(b) restriction against transfer of title to or possession of any equipment and materials, information or services furnished under this Act without the consent of the President;

(c) the security of any article, service, or information furnished under this Act;

(d) furnishing equipment and materials, services, or other assistance, consistent with the Charter of the United Nations, to the United States or to and among other eligible nations to further the policies and purposes of this Act.

SEC. 403. (a) Any funds available for carrying out the policies and purposes of this Act, including any advances to the United States by any nation for the procurement of equipment and materials or services, may be allocated by the President for any of the purposes of this Act to any agency, and such funds shall be available for obligation and expenditure for the purpose of this Act in accordance with authority granted hereunder or under the authority governing the activities of the agency to which such funds are allocated.

(b) Reimbursement shall be made by or to any agency from funds available for the purpose of this Act for any equipment and materials, services or other assistance furnished or authorized to be furnished under authority of this Act from, by, or through any agency. Such reimbursement shall include expenses arising from or incident to operations under this Act and shall be made by or to such agency in an amount equal to the value of such equipment and materials, services (other than salaries of members of the armed forces of the United States) or other assistance and such expenses. The amount of any such reimbursement shall be credited as reimbursable receipts to current applicable appropriations, funds, or accounts of such agency and shall be available for, and under the authority applicable to, the purposes for which such appropriations, funds, or accounts are authorized to be used, including the procurement of equipment and materials or services required by such agency, in the same general category as those furnished by it or authorized to be procured by it and expenses arising from and incident to such procurement.

(c) The term "value", as used in subsection (b) of this section, means—

(1) with respect to any excess equipment or materials furnished under this Act, the gross cost of repairing, rehabilitating, or modifying such equipment or materials prior to being so furnished;

(2) with respect to any nonexcess equipment or materials furnished under this Act which are taken from the mobilization reserve (other than equipment or materials referred to in paragraph (3) of this subsection), the actual or the projected (computed as accurately as practicable) cost of procuring for the mobilization reserve and equal quantity of such equipment or materials or an equivalent quantity of equipment and materials of the same general type but deemed to be more desirable for inclusion in the mobilization reserve than the equipment or materials furnished;

(3) with respect to any nonexcess equipment or materials furnished under this Act which are taken from the mobilization reserve but with respect to which the Secretary of Defense has certified that it is not necessary fully to replace such equipment or materials in the mobilization reserve, the gross cost to the United States of such equipment and materials or its replacement cost, whichever the Secretary of Defense may specify; and

(4) with respect to any equipment or materials furnished under this Act which are procured for the purpose of being so furnished, the gross cost to the United States of such equipment and materials. In determining the gross cost incurred by any agency in repairing, rehabilitating, or modifying any excess equipment furnished under this Act, all parts, accessories, or other materials used in the course of such repair, rehabilitation, or modification shall be priced in accordance with the cur-

rent standard pricing policies of such agency. For the purpose of this subsection, the gross cost of any equipment or materials taken from the mobilization reserve means either the actual gross cost to the United States of that particular equipment or materials or the estimated gross cost to the United States of that particular equipment or materials obtained by multiplying the number of units of such particular equipment or materials by the average gross cost of each unit of that equipment and materials owned by the furnishing agency.

(d) Not to exceed \$450,000,000 worth of excess equipment and materials may be furnished under this Act or may hereafter be furnished under the Act of May 22, 1947, as amended. For the purposes of this subsection, the worth of any excess equipment or materials means either the actual gross cost to the United States of that particular equipment or materials or the estimated gross cost to the United States of that particular equipment or materials obtained by multiplying the number of units of such particular equipment or materials by the average gross cost of each unit of that equipment or materials owned by the furnishing agency.

SEC. 404. The President may exercise any power or authority conferred on him by this Act through such agency or officer of the United States as he shall direct, except such powers or authority conferred on him in section 405 and in clause (2) of subsection (b) of section 407.

SEC. 405. The President shall terminate all or part of any assistance authorized by this Act under any of the following circumstances:

(a) If requested by any nation to which assistance is being rendered;

(b) If the President determines that the furnishings of assistance to any nation is no longer consistent with the national interest or security of the United States or the policies and purposes of this Act; or

(c) If the President determines that provision of assistance would contravene any decision of the Security Council of the United Nations, or if the President otherwise determines that provision of assistance to any nation would be inconsistent with the obligation of the United States under the Charter of the United Nations to refrain from giving assistance to any nation against which the United Nations is taking preventive or enforcement action or in respect of which the General Assembly finds the continuance of such assistance is undesirable.

(d) Assistance to any nation under this Act may, unless sooner terminated by the President, be terminated by concurrent resolution by the two Houses of the Congress: *Provided*, That funds made available under this Act shall remain available for twelve months from the date of such termination for the necessary expenses of liquidating contracts, obligations, and operations under this Act.

SEC. 406. (a) Any agency may employ such additional civilian personnel without regard to section 14 (a) of the Federal Employees Pay Act of 1946 (60 Stat. 219), as amended, as the President deems necessary to carry out the policies and purposes of this Act.

(b) Notwithstanding the provisions of Revised Statutes 1222 (U. S. C., title 10, sec. 576), personnel of the armed forces may be assigned or detailed to noncombatant duty, including duty with any agency or nation, for the purpose of enabling the President to furnish assistance under this Act.

(c) Technical experts and engineering consultants, not to exceed fifteen persons at any one time, as authorized by section 15 of the Act of August 2, 1946 (U. S. C., title 5, sec. 55a), required for the purposes of this Act, may, if the President deems it advantageous for the purposes of this Act and if in his opinion the existing facilities of the agency concerned are inadequate, be employed by any agency performing functions under this Act, and individuals so employed may be compensated at rates not in excess of \$50 per diem.

(d) Service of any individual employed as a technical expert or engineering consultant under subsection (c) of this section shall not be considered as service or employment bringing such individual within the provisions of sections 281, 283, and 284 of United States Code, title 18, of section 190 of the Revised Statutes (U. S. C., title 5, sec. 99), or of any other Federal law imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of services, or the payment or receipt of compensation in connection with any claim, proceeding, or matter involving the United States, except insofar as such provisions of law may prohibit any such individual from receiving compensation in respect of any particular matter in which such individual was directly involved in the performance of such service.

(e) For the purpose of carrying out the provisions of this Act, there may be employed not to exceed three persons at a rate of compensation not to exceed \$15,000 and one person at a rate of compensation not to exceed \$16,000. Any person so employed shall be appointed by the President, by and with the advice and consent of the Senate.

SEC. 407. (a) Nothing in this Act shall alter, amend, revoke, repeal, or otherwise affect the provisions of the Atomic Energy Act of 1946 (60 Stat. 755).

(b) The President may perform any of the functions authorized under section 401 of this Act without regard to (1) the provisions of title 10, United States Code, section 1262 (a), and title 34, United States Code, section 546 (e); and (2) such provisions as he may specify of the joint resolution of November 4, 1939 (54 Stat. 4), as amended.

SEC. 408. (a) Notwithstanding any other provision of law, the Reconstruction Finance Corporation is authorized and directed, until such

time as appropriations shall be made under the authority of this Act and the Act of May 22, 1947, as amended, to make advances not to exceed in the aggregate \$125,000,000 to carry out the provisions of this Act and the Act of May 22, 1947, as amended, in such manner, at such time, and in such amounts as the President shall determine, and no interest shall be charged on advances made by the Treasury to the Reconstruction Finance Corporation for this purpose. The Reconstruction Finance Corporation shall be repaid without interest for advances made by it hereunder from funds made available for the purposes of this Act and the Act of May 22, 1947, as amended.

(b) Funds made available for carrying out the provisions of title I shall be available for the expenses of administering the provisions of this Act and of the Act of May 22, 1947, as amended. Whenever possible the expenses of administration of this Act shall be paid for in the currency of the nation where the expense is incurred, as provided in subsection (d).

(c) Whenever he determines that such action is essential for the effective carrying out of the purposes of this Act, the President may from time to time utilize not to exceed in the aggregate 5 per centum of the amounts made available for the purposes of any title of this Act for the purposes of any other title. Whenever the President makes any such determination, he shall forthwith notify the Committee on Foreign Relations of the Senate, the Committees on Armed Services of the Senate and of the House of Representatives, and the Committee on Foreign Affairs of the House of Representatives.

(d) Upon approval by the President, any currency of any nation received by the United States for its own use in connection with the furnishing of assistance under this Act may be used for expenditures for essential administrative expenses of the United States in any such nation incident to operations under this Act and the amount, if any, remaining after the payment of such administrative expenses shall be used only for purposes specified by Act of Congress.

(e) The President may, from time to time, in the interest of achieving standardization of military equipment and in order to provide procurement assistance without cost to the United States, transfer, or enter into contracts for the procurement for transfer of, equipment, materials or services to nations designated in title I, II, or III of this Act, or to a nation which has joined with the United States in a collective defense and regional arrangement: *Provided*, That, prior to any such transfer or the execution of any such contracts, any such nation shall have made available to the United States the full cost, actual or estimated, of such equipment, materials, or services, and shall have agreed to make available forthwith upon request any additional sums that may become due under such contracts.

(f) Any equipment or materials procured to carry out the purposes of title I of this Act shall be retained by, or transferred to, and for the use of, such department or agency of the United States as the President may determine in lieu of being disposed of to a nation which is a party to the North Atlantic Treaty whenever in the judgment of the President of the United States such disposal to a foreign nation will not promote the self-help, mutual aid, and collective capacity to resist armed attack contemplated by the treaty or whenever such retention is called for by concurrent resolution by the two Houses of the Congress.

SEC. 409. That at least 50 per centum of the gross tonnage of any equipment, materials, or commodities made available under the provisions of this Act, and transported on ocean vessels (computed separately for dry bulk carriers and dry cargo liners) shall be transported on United States flag commercial vessels at market rates for United States flag commercial vessels in such manner as will insure a fair and reasonable participation of United States flag commercial vessels in cargoes by geographic areas.

SEC. 410. The President, from time to time, but not less frequently than once every six months, while operations continue under this Act, shall transmit to the Congress reports of expenditures and activities authorized under this Act, except information the disclosure of which he deems incompatible with the security of the United States. Reports provided for under this section shall be transmitted to the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, if the Senate or the House of Representatives, as the case may be, is not in session.

SEC. 411. For the purpose of this Act—

(a) The terms "equipment" and "materials" shall mean any arms, ammunition or implements of war, or any other type of material, article, raw material, facility, tool, machine, supply, or item that would further the purposes of this Act, or any component or part thereof, used or required for use in connection therewith, or required in or for the manufacture, production, processing, storage, transportation, repair, or rehabilitation of any equipment or materials, but shall not include merchant vessels.

(b) The term "mobilization reserve", as used

with respect to any equipment or materials, means the quantity of such equipment or materials determined by the Secretary of Defense under regulations prescribed by the President to be required to support mobilization of the armed forces of the United States in the event of war or national emergency until such time as adequate additional quantities of such equipment or materials can be procured.

(c) The term "excess", as used with respect to any equipment or materials, means the quantity of such equipment or materials owned by the United States which is in excess of the mobilization reserve of such equipment or materials.

(d) The term "services" shall include any service, repair, training of personnel, or technical or other assistance or information necessary to effectuate the purposes of this Act.

(e) The term "agency" shall mean any department, agency, establishment, or wholly owned corporation of the Government of the United States.

(f) The term "armed forces of the United States" shall include any component of the Army of the United States, of the United States Navy, of the United States Marine Corps, of the Air Force of the United States, of the United States Coast Guard, and the reserve components thereof.

(g) The term "nation" shall mean a foreign government eligible to receive assistance under this Act.

SEC. 412. Whoever offers or gives to anyone who is now or in the past two years has been an employee or officer of the United States any commission, payment, or gift, in connection with the procurement of equipment, materials, or services under this Act, and whoever, being or having been an employee or officer of the United States in the past two years, solicits, accepts, or offers to accept any such commission, payment, or gift, shall upon conviction thereof be subject to a fine of not to exceed \$10,000 or imprisonment for not to exceed three years, or both.

SEC. 413. If any provision of this Act or the application of any provision to any circumstances or persons shall be held invalid, the validity of the remainder of the Act and applicability of such provision to other circumstances or persons shall not be affected thereby.

Approved October 6, 1949.

OUR EDUCATIONAL AND IDEOLOGICAL TASK IN TODAY'S WORLD

by Margaret Hicks Williams¹

The recent greeting by the President to a group of British exchange teachers and the welcome they received at the British Embassy are the outward expressions of the warm appreciation and support of both our governments to the British-American Interchange of Teachers Program. Those teachers are, in a sense, reverse Marshall aid to America in terms of Britain's most valuable export—people, people of courage and character.

For each of them the present impact of America is perhaps rather sharp. They are here at a moment of possible tensions between us, as are the American teachers in Britain. It is hoped that surface differences may not be allowed to distort our unity of purpose and disguise our great need of one another. There are those, especially at this time, who do not wish us to remember these facts and who desire to create suspicion and jealousy. Let us resolve to look for and stress those things which unite us.

Both our nations know the meaning of loss. Though we entered the war 27 months later than they, our war dead and wounded totaled 1,070,000, as compared with 980,161 military dead, wounded, missing, and civilian dead for the United Kingdom, New Zealand, Australia, South Africa, Canada, and the Colonies.

World War II cost Britain 30 billion pounds; it cost us 82.5 billion pounds. In 1939 our taxes were 1 dollar out of every 13. Today they are more than 1 dollar out of every 4.

We are not smug about these facts. We are

inwardly humbled at the responsibility of stewardship. But we are also, as the debates in our Congress bear witness, determined that the free world shall survive and that the resources which we are attempting to make wisely available toward this end shall be used for the good of all and the greed of none. For America's resources are not limitless, America's aid is not out of surplus but unselfishness, and America's need to survive is as critical as Europe's, for it is not her need, but ours.

We are a vast country of great richness. Our shops have many things; those of Great Britain have not. Our homes have labor-saving devices and our women have more leisure time. We ourselves, however, are more conscious than British editorial writers may know of places where we need as a nation to change and to find answers—to our race problem, to our labor-management disunity, to our divorce and delinquency rise, to our waste. But there is another side to America as well. Let them look for themselves. Let them look below the surface and come to know and trust us—for the total that we are and for what we are striving to become.

We wear our emotions nearer to the surface; this is no proof that we are shallow.

We have abundance; this is no proof that we do not sacrifice.

We speak to strangers; this is no proof that we do not guard our privacy.

We drive our cars on the wrong side and do the oddest things with our knives and forks.

But the neglected factor which needs underlining in the peculiar circumstances of our age is that fundamentally we are one. The more Britain and America are going to be compelled to differ on economic and other matters, the more im-

¹This article is based on an address delivered at the U.S. Office of Education Indoctrination Sessions, Washington, D.C., for the British exchange teachers of 1949-50. Mrs. Williams is chief of the British Commonwealth Area in the Public Affairs Overseas Staff.

portant it becomes to reassert those basic issues on which we stand united.

Our English visitors are here to teach for a year in our schools. They and their American counterparts will at a conservative estimate directly touch the lives of several million children in Britain and America.

What do those children need?

What have the teachers to give?

Here again one might warn against judging from surface facts or comparisons. Theirs is a country of 100 thousand square miles; ours, of three million. They have 28 thousand schools to our 200 thousand. Yet under the British Education Act (1944), they are spending proportionately on their 5 million school children more than we are on our 25 million. They have a centralized system under a Minister of Education; we have 49 separate school systems. Our Office of Education is purely advisory. Our instruction is less formal, less exacting than theirs. They put emphasis on theory; we, on practice.

Our students, they will find, come from a wide range of backgrounds, speak a variety of dialects as diverse as Yorkshire and Cockney. They show a relative lack of parental discipline, a frankness, and an informality which is carried to rudeness at times, yet oddly enough makes for good learners. One of their British colleagues formerly here as an exchange teacher, put it this way: "You have freedom, we have discipline. We need them both." We do.

We are all working to produce the world's most important resource—the resource of youth trained not to muddle through a possible third world war, but a youth equipped morally as well as mentally to build a world that works. Few would be bold enough to claim that we are fully meeting that production target.

From the earliest beginnings of Winchester and Oxford, of Jamestown and Harvard, of Wilberforce and Horace Mann, has not the goal of education in both our countries been to train leadership for responsible citizenship, to train students not only in the sciences and humanities, but to recognize right from wrong? As Tagore put it, "A mind all intelligence is like a knife all blade—impossible to handle."

Perhaps we have failed in the schoolroom to meet the full requirements of education, to equip people with moral "know-how"; society, therefore,

as a whole is now facing the natural results of this earlier lack.

Our forefathers insisted on a code of moral references, of spiritual criteria, against which they could judge values. This code formed our heritage.

Are these the master threads which education and society in Britain and America have lost today? Is it, perhaps, in a return to our heritage that we shall begin to unravel the tangled skeins?

There is an urgent relevancy between our Anglo-American heritage, our basic ideology, and the cure for disorder we are striving to find. Hence it is well that we reexamine this heritage.

The economic, political, and literary interpreters of history have outdistanced the ideological. The result is that most Americans know something about Britain's steam engine, most Britons something about America's skyscrapers. We both know quite a lot about the great things that Britain and America have made; we know far less about the ideas that have made Britain and America great.

An ideology has been defined as a course of action based on a philosophy, a passion, and a plan. What is America's ideology as handed down to us from the past? The answer may be dug out of history books. A simple explanation of it may also be found by using our money as "visual aids." On the penny we find the word "Liberty." There also is the face of Lincoln who said, "This nation, under God, shall have a new birth of freedom." Freedom under God: this is the philosophy of our ideology. The penny also reminds us, "In God we trust." This thought is enlarged on our dollar bill. There can be seen the Great Seal of the United States of America. Above the uncompleted pyramid representing the 13 original States, there is the all-seeing eye of God and the phrase *Annu't Coeptis*—"He looks with favor on what has been begun." Dependence on God: this is our passion. Under the seal is the phrase *Novus Ordo Seclorum*—"A new order of the centuries," which Lincoln later called "Government of the people, by the people, and for the people." On the reverse of the Great Seal (and on the penny) is *E Pluribus Unum*—"Out of many, one." Teamwork. This is the plan of our ideology, not one group dominating the rest, but all pulling together for the whole.

The Seal and the designs for our money did not come by accident. They represent the distilled

conviction of the men who in the formative years of our nation poured out their passionate beliefs as to the indispensable supports our young nation must have in order to endure and to meet its fullest destiny in the future.

It is a unique, historical fact that the men who laid the framework of this great experiment reflected, from 1492 and as late as 1865, a remarkable unanimity in their concept of our country's purpose, its source of strength, and its ultimate destiny.

This unanimity was threefold. First it stressed the supreme place of Divine Providence in the life of the nation. Second, it made central the concept of freedom—freedom of speech, of the press, of religion, of assembly, of conscience. Third, it made corollary to freedom the concept of individual opportunity and individual responsibility within the framework of equality. Faith, Freedom and Fraternity—these were and are the undergirding ideas of the American dream.

I would be bold indeed to attempt to interpret Britain's corresponding heritage. But the longer one reflects on the ideology of America, the more closely, I think, he will recognize its kinship to Britain's own.

Education has an inescapable responsibility to bring our peoples back to the foundations of our democracy. Education is the production line for the leadership of tomorrow. Ideology is today's terminology for those forces—constructive or destructive—which are mobilizing and molding the minds of millions. Unless youth is trained by our schools in the ideology of democracy, an alien ideology of materialism will supplant what we have failed to nourish and defend.

If anyone doubts this, he should have heard the warnings and invectives over the Moscow radio throughout Scandinavia which followed the signing of the educational Fulbright agreements in

Holland and Norway in May and June. If we belittle international educational exchange as an ideological weapon, we are blind. Moscow evaluates it very differently. It is a threat to its very life. Russia does not wish democracy strengthened in Europe nor Europeans to live in the democratic countries of the West. Moscow's full ideological weapons in radio and press were mobilized to deplore and discredit the Fulbright program.

The British teachers here are the first ones to arrive under the Fulbright international exchange program. They are among the best that Britain can produce, as we hope our teachers are among the best that America can send.

Pioneering new frontiers is at an end. Pioneering in the art of living together is at the beginning. We must meet for youth the demands which the times are making.

For youth mirrors his decade. In the twenties, the emphasis was on success; in the thirties, on security; in the forties, on service. Now we have come to a new decade, an ideological one, the fifties. This era requires youth not alone with a basic foundation of knowledge but youth of moral soundness and of faith; youth with an idea and a purpose adequate to change things that are wrong, not adjust to them; youth skilled in bringing unity where there is division. Nothing less than this kind of education is adequate for this ideological age, to repel the onslaughts of communism on the one hand and the inward thrust of materialism within our countries on the other.

Ten, twenty, forty years from now the leaders in our local communities, the statesmen in the British Parliament and in our Congress, may be pushing forward the edges of democracy with clearer vision and keener courage because of what they learned of its heritage and heartbeat from a British or American exchange teacher years before.

THE UNITED NATIONS AND SPECIALIZED AGENCIES

The Role of the "Little Assembly" in Promoting International Political Cooperation

Statement by Ambassador Warren R. Austin¹

MR. CHAIRMAN, The report before us deals with two subjects—first, the program of the Interim Committee on the promotion of international cooperation in the political field and second, the reestablishment of the Interim Committee. Both of these subjects are fully provided for in the draft resolution suggested by the Interim Committee and contained in annex 3 to its report. There is, therefore, just one specific question before us—the adoption of the draft resolution.

This question is, however, much more than a technical and organizational matter. It cannot be answered in terms of expediency or short-range objectives. It involves the essential purpose for which the Interim Committee exists—the search for means to promote understanding and agreement in dealing with the political problems that confront us.

I shall address myself to these two questions separately and in some detail. However, I wish first to stress the close relationship between them. The study of the promotion of international cooperation in the political field is one important part of the Interim Committee's work. This study is the only systematic, comprehensive effort now in progress, designed to carry out the responsibilities of the General Assembly under this part of article 13 (1) of the Charter. The Interim Committee has, as we know, drawn up a general plan for the prosecution of this effort. The questions thus arise: Should such efforts be pressed forward or not? If

so, is the Interim Committee a sound and effective means of doing it?

But the second question—the reestablishment of the Interim Committee—involves a number of other important questions as well. The study of the promotion of international cooperation is not the only—or perhaps the most important—office of the Interim Committee. After mature consideration, the Assembly in 1947 framed provisions under which the Interim Committee should consider and report to the Assembly on certain disputes or situations referred to it by states and on such other matters as might be referred to it specifically by or under the authority of the General Assembly itself. These provisions were renewed by the Assembly in 1948.

The draft resolution before us providing for the reestablishment of the Interim Committee calls for the continuance of the program for the promotion of international cooperation and for the continuance of the committee's other powers. It thus gives effect to and poses for our consideration, the principles, first, that the program for the promotion of political cooperation should be actively continued; second, that some of the facilities of the Assembly for dealing with disputes and other political problems should be available to states between Assembly sessions; third, that all these functions can, on the whole, best be combined in a subsidiary body on which every member of the United Nations is entitled to be represented. Mr. Chairman, my delegation continues to affirm these principles and will support the draft resolution presented by the Committee.

I should now like to examine in more detail the

¹ Made before the *Ad Hoc* Political Committee of the General Assembly on Oct. 13, 1949, and released to the press by the U. S. delegation to the General Assembly on the same date.

two main subjects which the report places before us. The first of these concerns the studies of the implementation of article 11, paragraph 1, relating to the general principles of the maintenance of international peace and security, and of the part of article 13, paragraph 1, (a) relating to the promotion of international cooperation in the political field. These provisions of the Charter come close to stating the basic purpose of voluntarily uniting our activities through the United Nations.

Committee's Role in International Peace and Security

In examining the work of the Interim Committee in relation to them, I should therefore like to go back to first principles. International peace and security—that is the first purpose of the United Nations as we find it stated in article 1 of the Charter. Then, among the general principles set forth in article 2, we find the statement of that basic obligation—binding upon all members of the United Nations—that they shall settle their disputes by peaceful means. Read on to chapter VI and there is the title, “The Pacific Settlement of Disputes,” and the articles of that chapter contain the broad provisions governing the settlement of disputes.

In attempting to abolish war the basic theory of the Charter is, I submit, that the nations of the world must eliminate the causes of war and substitute other means than force for dealing with disputes. These, then, are what I would call the first principles of our organization—the real reason for its existence—and the principles according to which our day-to-day activities must be tested.

Without minimizing the military and economic sanctions provided for in chapter VII, I feel confident that the key to the success of the United Nations lies in working with the parties to disputes and affording ways and channels that will facilitate agreement by the parties themselves. It is the technique of helping them to help themselves, which has been used successfully by the Security Council and the General Assembly, as well as by their commissions in the field. In the 4 short years of its existence, we have seen United Nations commissions helping the parties, often in the very areas where military tension exists, to stand down from their military positions and meet or communicate through the United Nations representatives.

Without any gloss I have attempted to restate the principles of pacific settlement just as we find them in the Charter. They are the plan on which this world organization is founded. I would expect that there would be general agreement among all the members of the United Nations that I have correctly stated the substance of these principles. Yet we are only too well aware of the differences which arise in the work of the Security Council and the Assembly relating to pacific settlement. I

suggest to you that perhaps it is not the general principle but rather its application which ordinarily gives rise to these difficulties. As a lawyer, it has been my experience that the general proposition cannot always decide the concrete case. That decision, an American judge has stated, must depend on judgment and intuition more subtle than that.

Committee's Functions Cultivate Friendly Relations

Now, some may ask what bearing all this has upon the political work of the General Assembly and on the studies of the Interim Committee covered in the first part of its report. To this I would reply that the political responsibilities of the General Assembly do not consist solely in the consideration of actual disputes and considerations submitted to it. Beyond that the Assembly has a positive obligation to look ahead and find means of preventing actual disputes from arising—that is of promoting international cooperation in the political field and of considering, with a view to making effective, the general principles relating to the maintenance of international peace and security. Here arises the importance of the work of the Interim Committee. Through detailed exploration of the difficulties which arise in dealing with actual disputes, the Interim Committee seeks to develop procedures and measures for realizing broadly the principles of the Charter. This is my understanding of the essential approach which the Interim Committee has taken to this part of its work, and I have examined the annexes to its report with some care. It cultivates habits and practices of tolerance and friendly relations.

The Committee makes clear that it conceives in very broad terms the Assembly's function of promoting international cooperation in the political field. Within this broad field, it has rightly given priority to the central problem of the pacific settlement of disputes. It has adopted a definite program for the systematic survey of this problem. The plan is itself, I venture to suggest, the most important step in the project. In addition, the Interim Committee has covered in a preliminary way the first section of the program—the study of the organization and operation of United Nations commissions. As we know, the field commission has been found to be an indispensable tool both of the Assembly and of the Security Council. I think that the resulting document, with its collection of precedents, its tentative conclusions, and its organization of some of the problems involved, can be of genuine assistance to commissions, as well as to the Security Council and the Assembly. This is an attempt to turn experience into wisdom. Alas, we are aware that wisdom does not spring alone from virtue. I think that this work should not be approached on the theory that knowledge of good compels action in accordance with good but that attention should be directed toward prac-

tical methods of handling of concrete problems in day-to-day operations.

In addition, the Interim Committee has only begun the consideration of the procedures of the Assembly in handling disputes and special political problems. Although we have had one or more of these problems at every session, the special questions of procedure which arise in connection with their consideration have never been reviewed systematically. As members of the Committee are well aware, these political problems constitute the most difficult task of the Assembly.

Finally, I would add a word about the latter part of the program of work which relates to the treaty system covering the use of procedures of pacific settlement. The Charter has had an important effect on developments in this field and conditions have changed since many of these treaties were negotiated. When we consider the obligation of parties to a dispute under article 33 to seek a solution by peaceful means of their own choice, it seems appropriate to consider whether existing treaties provide the most effective means of assisting in the discharge of this obligation. At a later stage, broad questions may arise concerning what types of provisions in bilateral, regional, or multilateral arrangements would give added effectiveness to the operation of article 33. But of course those questions can only be answered toward the completion of the program. As I study this work of the Interim Committee, I see it synthesizing and interpreting the experience which we have had within the United Nations and in the great treaty systems so that method and technique will be simpler and better understood—so that it will be easier for states to use these methods to help themselves.

As I see it, Mr. Chairman, it is not necessary for the Assembly to give separate, formal approval to the work done by the Interim Committee. Paragraph 2 (c) of the draft resolution would require the Committee to carry out its program systematically through to conclusion, using its past recommendations and studies as a basis. My delegation will support this provision, as well as the resolution generally. We believe that the removal of the time limit on the Committee's life will assist materially in the performance of this task. It will enable the members of the Committee to project their work on a somewhat longer-range basis instead of concentrating it in relatively short periods of intensive work. This will permit more thorough consideration of all phases of the study by the governments. I am confident that the Committee will, in carrying forward its survey, be more concerned with the care and thoroughness of its consideration of these problems than with mere speed. It will also, I am sure, see the necessity of coordinating the various studies of this

type which are being carried forward under the authority of the General Assembly.

Continuance of Committee

I turn now to the second subject dealt with in the report—the continuance of the Interim Committee itself. The Committee has embodied its recommendations in a draft resolution, which forms annex 3 of its report. Under the draft resolution, the present duties and functions of the Committee would be precisely what they are now. The only important change embodied in the draft resolution is the removal of the 1 year time limit on the Committee's duration.

My delegation favors the continuance of the Interim Committee on this basis. We see developing, at surprisingly small expense, a body which should be very useful and important to the United Nations. We recognize the view of those who want a longer period to evaluate its importance on the basis of the work it has done; we recognize also the view—which we do not share—that its powers should be extended beyond the political field. Therefore, we have reached the conclusion that the 1 year limitation on the Committee's duration should be dropped. This limitation to a single year hampers the Committee in its possibilities for planning its studies. It gives it an aura of instability and undermines its position. Furthermore, it leads to a reiteration every year of a debate which is both unnecessary and undesirable. In our opinion, the Committee's report proposes an excellent solution to the problem before us. If this is accepted, the Interim Committee will not be required each year to spend part of its time in attempting to determine its own future. It is understood, however, that the Committee's duration is indefinite rather than permanent, and the Assembly may of course at any time modify or terminate the Committee.

The Committee's proposed resolution also takes care of other questions which have led to some discussion in past years. The resolution makes clear: (1) that the Committee may meet during the period between two halves of any session of the Assembly—this seems eminently sensible in view of the Committee's nature—and (2) that the Interim Committee may meet during special sessions of the Assembly. This seems to the United States delegation most advantageous. During special sessions the agenda of the Assembly is limited normally to a single item. Main committees of the Assembly are not organized for work. There would seem to be every reason to permit activities of the Interim Committee, which might be completely unrelated to the subject with which the special session is dealing, to be continued during and independently of the special session. While in practice it would be difficult for the Interim Committee or any of its subcommittees to meet in a special session, just as it is difficult for the Se-

curity Council to meet during Assemblies, there seems to be every reason to authorize the Interim Committee to do so. For these reasons, Mr. Chairman, the United States delegation fully supports the resolution submitted by the Interim Committee.

Past Work of the Committee

Having indicated the principles that underlie the position of my government, I will review the work which the Interim Committee has done during its first 2 years. It was authorized to consult with the Temporary Commission on Korea. You will remember that when the Commission arrived in Korea early in 1948 and was faced with the negative attitude of the Soviet Government, it requested the Interim Committee for advice as to whether it should proceed with the elections contemplated by the General Assembly. Within a short time the Interim Committee was able to consider the matter and to inform the Korean Commission that in its view the Commission should proceed with elections in those areas open to it. This proved, therefore, a most convenient device by which the members of the General Assembly could express their views and clear up a difficult problem which, as I have stated, otherwise might have necessitated calling a special session of the General Assembly. This was a valuable piece of work which speeded up the steps leading to the creation of the Korean Government.

The General Assembly has also given the Interim Committee the power to consult with the Greek Commission during these past 2 years. Fortunately, the Greek Commission has not run into any difficulties which it was unable to handle either itself or in its reports to the regular sessions of the General Assembly. This does not, however, detract from the obvious advantages which members of the United Nations gain as a result of having available a standing committee which could have expressed the views of the members of the United Nations in case a crisis in Greece had arisen.

These are the only political questions as to which the Interim Committee has been given continuing responsibility by the General Assembly. There have been suggestions from time to time that the Assembly should refer particular political questions to the Interim Committee for study and preparation of complete recommendations. An outstanding example of this was the proposal last spring which was supported by a large number of the delegations that the question of the former Italian colonies should be considered by the Interim Committee during the past summer. This proposal was not accepted by the Assembly, I think, largely because it was felt that if a period of time were allowed to elapse the members of the United Nations would be better prepared to find

an agreed solution. This instance does illustrate, however, the real advantages of having available to the General Assembly a subsidiary organ to which problems of this nature could be referred if circumstances in a particular case should warrant.

The presence and existence of the Interim Committee is in my view the important thing. In this respect, it has often been compared with a fire department. We recognize the real advantages in insurance and security which derive from the existence of efficient and readily available machinery for such purposes.

I have mentioned the importance of a calm consideration which the Interim Committee can give a complicated and technical political problem—where neither time nor atmosphere will permit the General Assembly to do so. I was referring, of course, to the report on the veto in the Security Council. That report was submitted to the last session of the Assembly which accepted the proposals of the Interim Committee in the form of a resolution directed to members of the Security Council and in particular the permanent members. Exercise of the veto power in the Security Council diminishes the vitality and success of the United Nations. The members of the United Nations had become seriously concerned that the lack of restraint in the exercise of the veto power had made it extremely difficult for the Security Council to carry out the functions imposed upon it by the Charter. The issue was one which had been violently debated in two sessions of the General Assembly, but, at the same time, it was one of such complexity that careful study was essential to any solution. The Interim Committee proved useful and effective in dealing with this problem. After a long and careful study in its nontechnical and nonpolitical atmosphere, the Interim Committee brought forward conclusions on which a very substantial majority of the membership of the United Nations was able to agree. It is hardly conceivable that a matter of this complexity could have been brought to such a successful conclusion without the careful preparatory work which the Interim Committee was able to give to it.

Nonparticipation by Soviet Limits Committee Effectiveness

The Soviet group of states have not seen fit to take their seats on the Interim Committee. Absence of these states has undoubtedly made some of the Committee's work less effective than it otherwise might have been. Their nonparticipation in any aspect of the work of the United Nations makes the task of the United Nations more difficult. The Soviet Union has claimed for 2 years and still claims that the Interim Committee is illegal and was intended as a rude device to circumvent the Security Council. I suggest there is nothing in the record of the Interim Committee during its 2 years which justifies to the slightest degree these claims. It is the desire of the

members of the United Nations and one of the main purposes of the Interim Committee to increase cooperation between all of the members of the United Nations. For our part we would welcome a decision by the Soviet Union to take its seat on the Interim Committee. However, we do not propose to urge the limitation of the development of the United Nations and its activities because the Soviet bloc does not choose to participate in some of its organs—whether the Interim Committee or any other organ. The vast majority of the membership of the United Nations should not abandon constructive effort simply because the Soviet bloc of states chooses to refuse its cooperation to the United Nations and to abstain from taking part in the Interim Committee's activities.

I have heard it suggested that some of the work of the Committee could be done by *ad hoc* committees of limited membership. I should like, however, to emphasize the advantages of a Committee of the whole membership. In making detailed studies of political problems, such as the problem of the veto, the Interim Committee demonstrated the advantage of a procedure under which the views of all members of the United Nations can be secured before the matter goes to the General Assembly. In cases where the views of only a small number of members have been secured, the majority in the General Assembly may justifiably wish to give detailed and lengthy consideration to the matter. It is also important that the function of considering disputes be performed by a body in which all members can take part.

Mr. Chairman, my delegation is by no means ready to consider that the existing organization of the political work of the General Assembly—including the Interim Committee—is perfected. On the contrary, the serious problems which the General Assembly faces in performing its mounting responsibilities are recognized by nearly everyone. Another committee has just considered a detailed report on the problem of devising means by which the Assembly can accomplish its work and still keep its sessions down to a reasonable brevity. This problem of the organization of the Assembly's work is likely to remain with us for a long time, and my delegation is certainly not prejudging the final decision as to what methods shall be adopted.

However, in our opinion, these circumstances speak all the more strongly for the continuance of the Interim Committee on its present basis. We believe the Assembly still benefits by means which it has carefully set up for adding to the security of member states by consideration of disputes and situations between sessions of the Assembly. The need for making the facilities of the General Assembly available for consideration of disputes between sessions of the General As-

sembly has not diminished since 1947. It is often not possible to know in advance what means of settling disputes will prove effective. Certainly existing means should be maintained until we are sure that a stronger and more effective substitute has been devised.

My delegation sees no practicable alternative to the committee of the whole membership, with its varied political functions, its flexible organization as set forth in the draft resolution, and we shall support the resolution.

In conclusion, Mr. Chairman, let me urge that we not lessen, but rather redouble our efforts to improve, to broaden, and to apply international cooperation. The essential method of our organization—consisting as it does of independent nations—must be one of cooperation. We do not have a world government. The work which we accomplish in the United Nations is not just the sum total of a large number of little, specific measures. Beyond that, it is the growth, the enlargement of the spirit of cooperation and unity which itself makes sound solutions possible. That is what, broadly speaking, the Interim Committee is designed to promote. Toward that objective, we must not slacken but redouble our efforts.

Revocation of Executive Orders on International Organizations

EXECUTIVE ORDER 10083¹

WHEREAS the United Nations Relief and Rehabilitation Administration, the Inter-American Coffee Board, and the Intergovernmental Committee on Refugees were designated, respectively, by Executive Order No. 9698 of February 19, 1946, Executive Order No. 9751 of July 11, 1946, and Executive Order No. 9823 of January 24, 1947, as public international organizations entitled to enjoy the privileges, exemptions, and immunities conferred by the International Organizations Immunities Act (59 Stat. 669); and

WHEREAS the said international organizations have ceased to exist or are in process of liquidation:

NOW, THEREFORE, by virtue of the authority vested in me by section 1 of the said International Organizations Immunities Act, I hereby revoke the said Executive Orders Nos. 9698, 9751, and 9823 so far as they pertain, respectively, to the United Nations Relief and Rehabilitation Administration, the Inter-American Coffee Board, and the Intergovernmental Committee on Refugees.

HARRY S. TRUMAN

THE WHITE HOUSE,
October 10, 1949.

¹ 14 Fed. Reg. 6161.

Debate on Human Rights—Freedom Can Unite Us

Statement by Benjamin V. Cohen

U.S. Alternate Representative to the General Assembly¹

Last spring this Committee was asked to consider the serious charges brought against the Governments of Hungary and Bulgaria for the suppression of religious and civil liberties particularly in reference to the then recent trials of church leaders. The whole world had been shocked by the way Cardinal Mindszenty had been treated as a common criminal and his guilt proclaimed prior to his trial.

Despite the indignation felt and expressed in many countries of the world, including my own, this Committee refrained from recommending direct action by the Assembly. Instead, in accordance with the recommendation of this Committee, the Assembly adopted a resolution which supported and encouraged the use of the peace treaties procedure as the most effective means of insuring respect for human rights in these countries as guaranteed by the treaties themselves.

It was, I believe, the view of most of us here—and it is still our view—that it was, and is, in the spirit of article 33 of the Charter that the peace treaty procedures should be followed before the Assembly should attempt to set new or parallel procedures, as suggested by the honorable delegate of Australia, to deal with these grave charges of infractions of human rights and fundamental freedoms. Moreover, it was the hope of my government that if we followed the treaty procedures, we would be able to secure a definite decision binding upon the states concerned. The Assembly is able at any time to make recommendations. But we are concerned to obtain definite and binding decisions if we can.

We are not unmindful that the Charter commits all members of the United Nations to take joint and separate action in cooperation with the organization to promote universal respect for, and observance of, human rights and fundamental freedoms

for all without distinction as to race, sex, language, or religion. But the peace treaties place specific obligations upon our former enemies to observe these rights and freedoms; and the other signatories to the treaties have clear rights and responsibilities with regard to their observance.

VIOLATION OF HUMAN RIGHTS

The human-rights clauses in these treaties were intended to fulfill the wartime promises of the Allies at Yalta. There, the three war leaders of the United Nations gave a solemn pledge to the peoples of Europe then on the threshold of liberation that freedom would be restored, not to their former rulers and not to a new set of rulers, but to those peoples themselves. To them we promised the right to create, through free elections, democratic institutions of their own choice. On the recommendation of the Economic and Social Council international obligations were inserted in the peace treaties to protect and safeguard human rights and fundamental freedoms, including specifically freedom of expression, of press and publication, of religious worship, of political opinion, and of public meeting. Behind these treaty clauses lies the concept that peoples who are secure in the exercise of the fundamental freedoms to which as human beings they are entitled can be trusted to see that their governments live up to their international responsibilities and avoid catastrophic adventure against other peoples' freedom.

While we live in a world where men may differ as to the internal forms and internal policies of government, governments to have a moral base must rest in some way on the free and continuing consent of the governed. No state has the sovereign right claimed by Hitler's Third Reich to make war against the freedom and religion of its own people or against the freedom and religion of other

¹ Made in the *Ad Hoc* Political Committee on Oct. 4, 1949, and released to the press by the U.S. delegation to the United Nations on the same date.

peoples. Governments which do not respect the basic human rights of their own people are not likely to respect the rights of other governments and other peoples.

In addressing this Committee last spring, I announced that the United States was prepared, as it is still prepared, to submit specific and detailed observations with accompanying documentation in connection with the proceedings under the peace treaties in support of the charges made by the United States concerning the violation of the human-rights clauses of these treaties.²

At the time I indicated, in general terms, the course of developments in Bulgaria and Hungary forming the basis for the charges which the United States had made. Now, on the initiative of the Australian Government, the Assembly has added to this item of the agenda the question of human rights and fundamental freedoms in Rumania. Rumania, like Bulgaria and Hungary, has agreed to secure to all persons under its jurisdiction the enjoyment of those rights and freedoms.

The pattern of development in that country is, in our view, essentially the same as in Bulgaria and Hungary, and we have made the same protests in the case of Rumania. It is a pattern of a minority group seizing the instrumentalities of government through force and intimidation and maintaining itself in power through the suppression of every one of the human rights and fundamental freedoms which these states have so solemnly undertaken to observe. We cannot close our eyes to the historical fact that the groups which wield exclusive political power in these three countries today have won that power by forcibly depriving their fellow citizens of their basic human rights. The facts disclose a clear design to suppress first the leaders of political groups and parties and then the leaders of religious groups and organizations, because these leaders and groups have refused to subordinate themselves, or to use their influence to subordinate their followers to the dictates of the Cominform. The pattern in its most recent developments appears to extend to eliminating even the expression of the slightest deviationist opinion within the ruling groups.

The three governments have made no secret of how the pattern operates. In those "people's democracies," which the highest governmental and Communist Party leaders themselves describe as a form of dictatorship of the proletariat, it is avowed public policy to deny to the people the right freely to express views on political, cultural, scientific, and even religious matters, unless such expression is within the very narrow limits of conformity with the current doctrines of a one-party regime responsible not to the people themselves

² BULLETIN of May 1, 1949, p. 556.

but to the Communist high command. It does not alter the facts to give all who have independent views the label of "fascist," "traitor," "class-enemy" or "imperialist spy," or to dismiss all protests with the reply that these oppressive measures are taken in the interest of the people. Has there ever been a dictatorship which has not sought to justify its most ruthless acts in the name and in the interests of the people?

It should not be necessary to observe that the United States is concerned here only with the observance of basic human rights and not with the internal forms and policies of government so long as those basic rights are respected. We are concerned with human rights not, as has been alleged, to protect reaction or to encourage opposition to social reform or to encourage hostility to other nations, but because these rights guaranteed by the peace treaties, are the heritage of free men. In our view human freedom, human progress, and world peace are inseparable.

I will now refer briefly to developments which have occurred in Hungary and Bulgaria since last spring, and then to the situation in Rumania. I refer to these events and developments not with a view of having the Assembly pass judgment upon them at this time, but to make clear the seriousness and good faith of the charges that we have been obliged to make against these countries. Our purpose at this time is to seek the Assembly's assistance in securing an advisory opinion from the International Court of Justice to make clear the right of the signatories to the peace treaties to have these charges determined under the treaty procedures as the Assembly itself has recommended.

Hungary

Let us turn now to events in Hungary since the passage of the Assembly's resolution on April 30. I mentioned in this Committee at that time the forced dissolution and disappearance of all political parties whose programs represented a point of view opposed to that of the Communists. The old Parliament in which these parties had been represented was then dissolved. A new single-list, plebiscite-type election was held on May 15. Giving the Hungarian voters no real freedom of choice, this so-called election produced the desired result: a completely Communist-controlled Parliament.

The people of Hungary, denied the exercise of freedom of political opinion in the electoral campaign and the election, were thus presented with a purely mechanical election which denied them the right to parliamentary representation of their own choosing.

In its drive to dominate the lives and even the thoughts of Hungarian citizens, the regime has continued its pressures on the churches with the obvious purpose of making them serve as instruments for political ends. There are continuing

persecutions of persons for so-called "anti-democratic" statements or for "inciting against democracy," a choice of words which would be amusing if it did not cloak injustice and tragedy for many innocent human beings. The opposition newspapers have vanished one by one and freedom of the press has ceased to exist. The process of perverting the judiciary for political purposes proceeds apace. And the Communist regime, having no further democratic opposition to destroy, is now busily engaged in wide-scale purges of Communist collaborators who have become suspect and of the cadres of the Communist Party organization itself. The recent trial of so-called spies and traitors in Budapest was not, properly speaking, a trial at all but a phase of the political strategy of the Cominform with intended effects far beyond the borders of Hungary. Whatever may have been the character and the record of the accused, the point which concerns us here is that the entire procedure, with its staged denunciations and recited confessions and its ludicrous falsifications (and here I need only to refer to the supposed conspiracies involving American officials), illustrates the fact that in Hungary today the individual citizen, whether a Communist Party boss or anyone else, cannot obtain justice, a fair trial, or any recognition of his rights as a human being.

Bulgaria

Essentially, the same situation prevails in Bulgaria. In that country also the regime has continued to strive to consolidate its power through the suppression of all independent opinion.

The campaign designed to reduce the freedom of the Churches has continued. My government has received a number of reliable reports that early in July of this year a second group of Protestant ministers was tried, this time in secrecy, perhaps from fear of a world-wide reaction such as followed the trial of the 15 pastors the preceding March. The usual paraphernalia, including "confessions" recited by the defendants, were again present. These trials are a further manifestation of the obvious determination of the Bulgarian Government to destroy the independence of these Protestant sects and the integrity of their religious faith and to break their normal ties with their fellow Christians in other parts of the world.

In Bulgaria also there have been elections, the local elections of May 1949 featuring a single ballot of candidates nominated only by organizations associated with the Fatherland Front, which is dominated by the Bulgarian Communist Party. The elections were held under the direct supervision of the electoral committees appointed by the same Fatherland Front.

Bulgaria remains without democratic opposition parties, without a press free to criticize the

government, without all those fundamental freedoms specified in the treaty of peace.

Rumania

Since the question of the observance of human rights and fundamental freedoms in Rumania has now been added to our agenda, I shall comment briefly on the actions of the Rumanian Government which, in the view of the Government of the United States, also constitute deliberate and persistent violation of article 3 of the treaty of peace.

Freedom of political opinion, one of the basic freedoms guaranteed in the treaty, has virtually ceased to exist in Rumania. As a result of a systematic campaign, the Rumanian regime succeeded in destroying all democratic political parties. The largest of the opposition parties, the National Peasant Party, was officially suppressed following the arrest of its leaders. The National Liberal Party and the Independent Social Democratic Party, while never formally suppressed, were effectively blocked from all political activities through arrests of most of their leaders and through intimidation.

The Rumanian Government did not hesitate to convert the country's judicial system into an instrument of its oppressive policy. The most widely known, although by no means the only demonstration of this policy, was the trial, conviction, and sentence for treason, of Maniu and other leaders of the National Peasant Party in October and November 1947. In a note delivered to the Rumanian Government at the time, my government pointed to the transparent political motivation of this so-called judicial proceeding. The defendants were denied a fair trial before an independent and impartial tribunal and deprived of the guarantees necessary for their defense. They were denied, for example, the right of counsel of their own choice and were subjected to a violent government-inspired campaign of public excitation against them both before and during the trial.

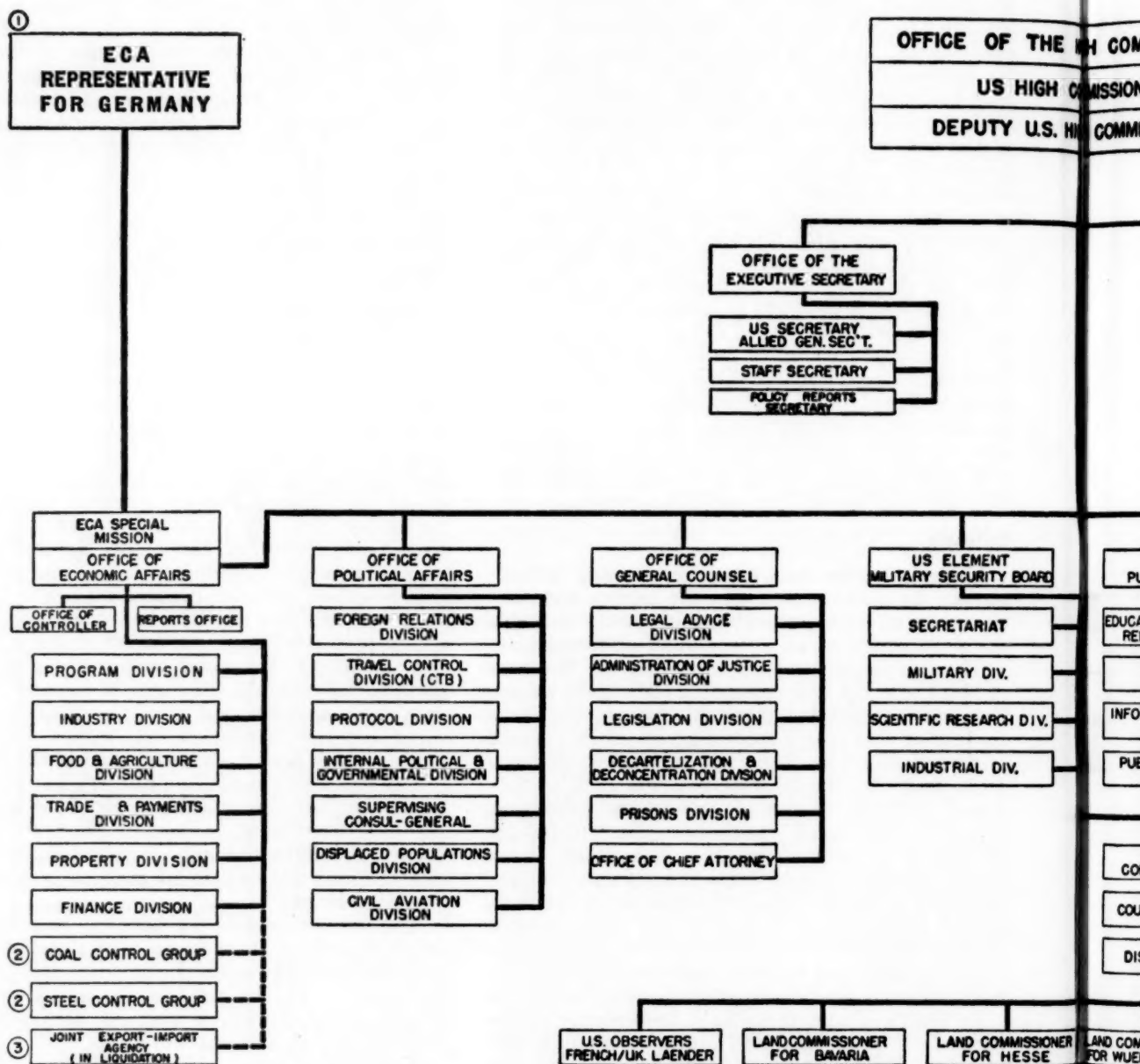
The subjugation of the judiciary has now been made complete through the abuse of the authority of the Government to control the transfer and tenure of judges, through intimidation of judges, and through the system of politically controlled "people's courts."

The police power of the state has been exercised in disregard of those basic civil liberties of the peoples in Rumania which the peace treaty was to safeguard. In the prisons are many men and women arrested without warrant, held indefinitely without charge and without trial.

Freedom of press and publication, guaranteed by the peace treaties, is nonexistent. By official censorship, by discrimination in the distribution of newsprint, by governmental ownership or monopoly control of printing establishments and radio facilities, and by other devices, any substantive criticism whatsoever of the Government has been prevented. Only those public media

Reprinted from that issue

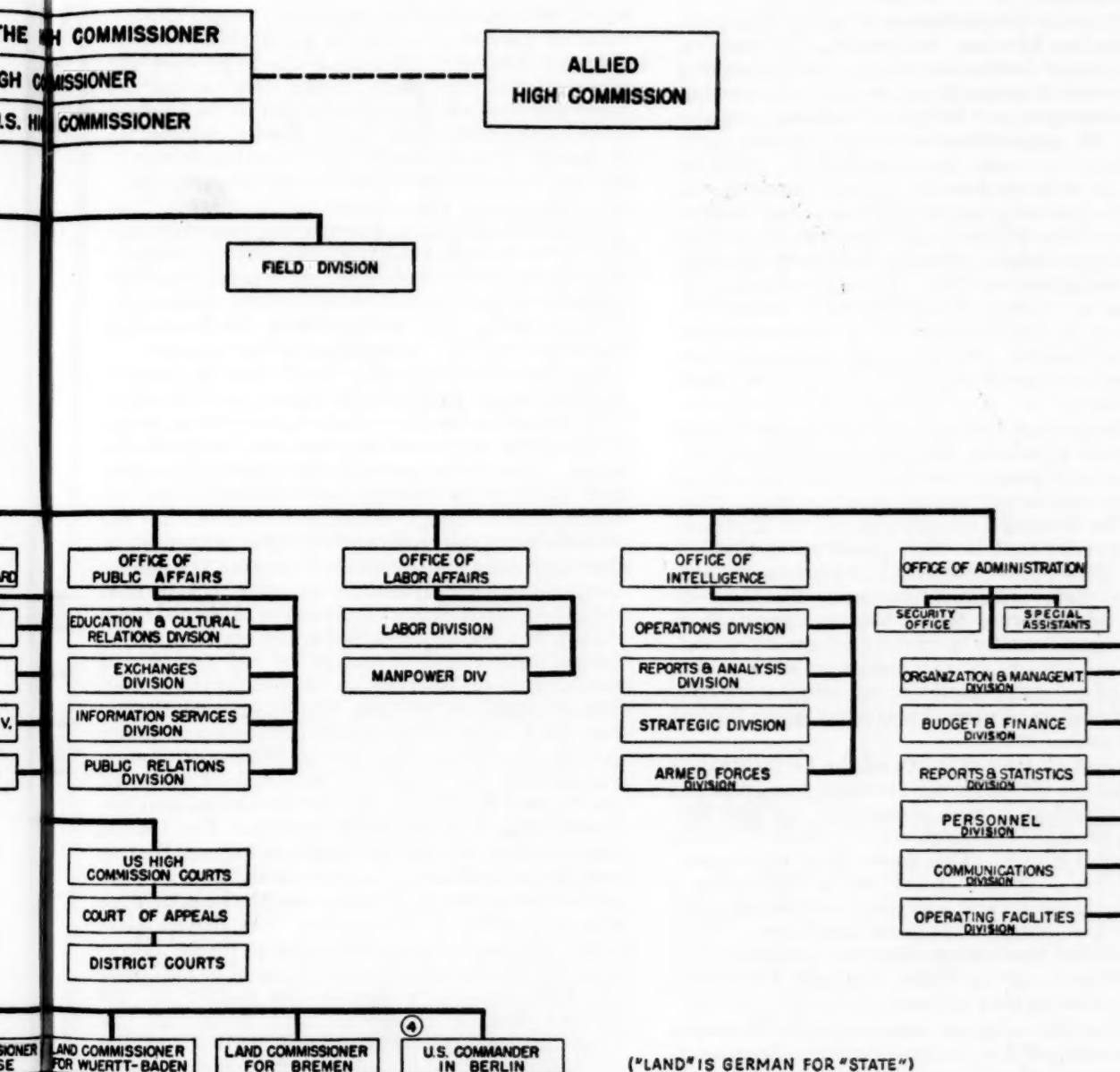
ORGANIZATION OFFICE OF US HIGH COMMISSION



① ECA REPRESENTATIVE FOR GERMANY — BY EXECUTIVE ORDER, MR. JOHN J. McCLOY, AS US HIGH COMMISSIONER FOR GERMANY, ALSO SERVES AS ECA REPRESENTATIVE FOR GERMANY. UNDER THE IMMEDIATE SUPERVISION OF THE ADMINISTRATOR FOR ECONOMIC COOPERATION AND IN COORDINATION WITH THE US SPECIAL REPRESENTATIVE FOR EUROPE (SUBJECT, HOWEVER, TO CONSULTATION WITH AND ULTIMATE DIRECTION BY THE PRESIDENT.)

② US ELEMENTS, COAL CONTROL GROUP AND STEEL CONTROL GROUP, RECEIVE POLICY GUIDANCE FROM DIRECTOR OF ECONOMIC AFFAIRS; FOR TRIPARTITE ACTIVITIES, THE GROUPS ARE RESPONSIBLE TO THE ECONOMICS COMMITTEE, ALLIED HIGH COMMISSIONER'S COMMITTEE, AND THE COMMISSION FOR EUROPEAN COOPERATION.

ORGANIZATION CHART OF THE U.S. HIGH COMMISSIONER FOR GERMANY



("LAND" IS GERMAN FOR "STATE")

③ THE US ELEMENT RECEIVES POLICY GUIDANCE FROM DIRECTOR ECONOMIC AFFAIRS; THE POLICY IS ADMINISTRATIVELY RESPONSIBLE TO FOREIGN TRADE AND EXCHANGE COMMITTEE, ALLIED HIGH COMMISSION, DURING LIQUIDATION

④ THE US COMMANDER, BERLIN SERVES AS THE REPRESENTATIVE IN BERLIN OF THE U.S. HIGH COMMISSIONER FOR GERMANY; FOR MILITARY MATTERS HE REPORTS TO THE COMMANDER-IN-CHIEF, EUROPEAN COMMAND.

CORRECT AS OF SEPT. 1, 1949

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which are responsive to government direction and render active service to the purposes of the regime are permitted to operate.

This prevention of the free expression of opinion is extended to public meetings, which in practice can be held only by organizations approved by the regime.

Finally, in its determination to bring all aspects of Rumanian life into the totalitarian pattern, the Rumanian Government has been employing many forms of pressure to compel subservience by religious groups. Religious worship, guaranteed by the peace treaties, means, in our view, more than a formal participation in religious ritual. It requires freedom to teach and express views based on religious precepts, freedom to associate with those of like belief, freedom to worship with clergy chosen without arbitrary governmental interference. The decree concerning the activities of cults in Rumania, of February 11, 1949, vests in the Government an unprecedented degree of control over all religious groups and activities, and the Government has not hesitated to exercise it.

The Rumanian Government has purged large numbers of priests of the Orthodox Church and seen to it that persons devoted to the Communist Party are appointed to high church offices. Similarly, the Roman Catholic Church in Rumania has been subjected to such persecution that, at present, none of its bishops is in a position to exercise his rightful religious functions. The Catholic Church in Rumania today has been reduced to virtual inactivity by a variety of measures calculated to cripple its organization, such as the arrests of priests, dissolution of religious orders, and prohibition of normal activities in the field of welfare and education.

The most glaring example of the Government's infringement of religious freedom has been the official dissolution and absorption by the Rumanian Orthodox Church of the Greek Catholic or Uniate Church. This dissolution was accomplished by a governmental decree following a virulent campaign and a sham procedure designed to show a voluntary change of allegiance. What has become of the freedom of more than one million communicants of the Greek Catholic Church to worship God as they please?

The Jewish religious community in Rumania has been subjected to similar oppressive treatment. Its former chief rabbi was forced out of office, to be replaced by a Communist sympathizer with little religious training or standing in the community.

U.S. NOTES OF PROTEST

I have limited myself here to an outline in broad

contours of the deliberate policies which in the view of the United States are contrary to the treaty obligations of the three governments.

As I have said, the General Assembly is already on record as favoring the settlement of these issues through the machinery provided in the treaties of peace themselves for the resolution of disputes arising out of the interpretation or execution of the treaties. The United States continues to support this approach and believes that we should follow it through to a clear and definite conclusion.

In its resolution of April 30, of this year, the General Assembly expressed the hope that the signatories of the peace treaties would diligently carry out the procedures envisaged in the treaties. The Government of the United States has asked the Secretary-General to circulate to all members of the Assembly copies of the diplomatic correspondence disclosing the efforts on the part of my government, in accordance with the Assembly resolution, to put the treaty machinery in motion.³ Analogous efforts were made by several other signatories of the peace treaties, whose delegations will, no doubt, wish to describe to the Committee the steps they also have taken in this matter.

On April 2 of this year the United States formally charged Bulgaria, Hungary, and Rumania with violations of the human-rights clauses of the treaties and requested that remedial measures be taken. The three governments denied that they had violated the treaties and indicated their unwillingness to adopt remedial measures. It was obvious from the replies of the three governments that they were not prepared to explore the matter further through diplomatic channels. As a next step, the United States Government informed them that in its view disputes had arisen concerning the interpretation and execution of the treaties of peace. In notes delivered on May 31, by the United States Legations in Sofia, Budapest, and Bucharest, the United States invoked the relevant treaty articles, providing first for the settlement of such disputes by the heads of diplomatic missions of the United Kingdom, the Soviet Union, and the United States in the three capitals. The United States chiefs of mission requested their British and Soviet colleagues to meet with them to consider the disputes in accordance with the procedure clearly specified in the treaties. The British Ministers indicated their willingness to do so. However, the Soviet Government declined to authorize its Ambassadors to discuss the matter on the ground that the three ex-enemy states had fulfilled their obligations under the treaties, and that the measures complained of were justified under the treaties and, in any case, were within the domestic jurisdiction of those states. The Soviet Government rejected a further request by the United States Government to reconsider its position.

³ BULLETIN of Oct. 10, 1949, p. 541.

PROTESTS REJECTED

As a result, the United States Government found it necessary to invoke the additional peace treaty procedure which envisages the establishment of commissions composed in each case of one representative of each party to the dispute and a third member chosen by mutual agreement of the two parties from nationals of a third country. In the event of the failure of the parties to agree on the third member, that member, according to the treaties, is to be appointed by the Secretary-General of the United Nations. In its notes delivered on August 1, 1949, the Government of the United States requested the Governments of Hungary, Bulgaria, and Rumania to join with it in naming these three commissions.

The three governments rejected this request. They again denied that they had violated the treaties. They claimed that, on the contrary, the acts which we view as violating the human-rights clauses of the peace treaties were taken against subversive and Fascist elements in accordance with the very same treaties. They claimed further that these matters are within their own internal jurisdiction and that an effort to make them a subject of a dispute under the treaties is an unwarranted intervention in their internal affairs.

The United States Government reiterated in its most recent notes of September 19, 1949, that the three governments cannot avoid their international obligations to insure respect for human rights merely by claiming that these matters are not subject to the treaty settlement procedures. These procedures were provided for in the treaties precisely because it could be foreseen that disputes concerning their interpretation or execution might arise, and the signatory powers desired to make provision for the final settlement of such disputes by orderly legal means. The provision that we inserted in the peace treaties providing for the appointing power of the Secretary-General was considered most important, in view of the possibility that the heads of mission would not agree. We attached at that time, as we attach now, great importance to these procedures for the settlement of disputes.

We assert that these governments cannot set themselves up as the sole judges of whether or not the acts complained of constitute violations of the treaty, nor can they determine unilaterally whether there is a dispute appropriate for settlement under the treaty machinery. Since all efforts at a settlement through diplomatic negotiations or the heads-of-mission procedure have failed, it is for the commissions envisaged in the treaties to determine whether the treaties have been violated. The decisions of the commissions will be definitive and binding, as provided in the treaties themselves.

U.S. VIEWS FURTHER VIOLATION

The refusal of the three governments to participate in the settlement procedures to which they have agreed is, in our view, a further very serious violation of the peace treaties. It is also in disregard of the Assembly resolution of April 30, which expressly drew to the attention of the three countries their obligations under the peace treaties "including the obligation to cooperate in the settlement of all these questions." It raises a legal issue of fundamental importance for the progress of procedures in the field of peaceful settlement. If a government agrees to settle a certain type of dispute through a specific procedure and then, when a concrete dispute of that type arises, refuses to submit to this procedure, the entire effort to provide settlement machinery becomes purposeless. What is left of the peace treaties if these governments can evade all charges of nonperformance merely by stating that they have fulfilled their obligations and denying the existence of any dispute calling for the application of the specific settlement procedures to which they have subscribed?

The three governments seek to justify their refusal to join in the appointment of the treaty commissions on legal grounds. Although, in our view, these grounds are specious and untenable, we are prepared to have an impartial judicial authority decide whether the present disputes lie within the scope of the articles of the treaties of peace providing machinery for the settlement of disputes, and whether the three governments are obligated to participate in the appointment and functioning of the commissions. We also think it important that the Secretary-General be advised authoritatively by the Court concerning the scope of his authority, if he should be asked to appoint the "third members" of any of the commissions which are to be set up to settle the disputes.

**OPINION FROM
INTERNATIONAL COURT OF JUSTICE**

We, therefore, would urge that the General Assembly request the principal judicial organ of the United Nations, the International Court of Justice, to give an advisory opinion on these legal questions regarding the applicability and functioning of the treaty procedures. We are, with the Governments of Bolivia, and Canada, submitting proposals along the lines I have stated to the Committee, and I hope very much that these proposals will be adopted. I wish to repeat the pledge given by Secretary Acheson in the general debate that the United States will accept the advisory opinion of the Court on the questions submitted as binding. My government hopes that the Governments of Bulgaria, Hungary, and Rumania

also will accept in advance the opinion of the Court and act in accordance with it.

The responsibility for the arbitrary frustration of agreed procedures for peaceful settlement is a matter of grave concern to all of us. My government believes that as a signatory of the peace treaties, it is entitled to an authoritative determination of this important issue. This determination, in our view, is equally necessary in the interest of the development of international law and of the community of nations under the Charter.

In the light of the objectives of the United Nations in the field of both human rights and peaceful adjustment of controversies, the General Assembly is properly and seriously concerned with this matter. In our view, the General Assembly at this stage should continue to concentrate upon assisting the signatories of the treaty of peace in their efforts at a settlement through the means agreed upon in the treaties; more specifically, it should assist them in obtaining guidance on the legal questions involved. In doing so, the General Assembly will act within the spirit of article 33 of the Charter which contemplates the employment of peaceful means agreed upon by the parties to a dispute.

OBLIGATIONS OF FREEDOM

It is important in this approach, however, to keep in mind that the question before us transcends the legal issues engaging our immediate attention. The fundamental problem of observance by governments of their international obligations is at stake. Moreover, in the case before us, the substance of these international obligations is of unique character. These obligations were designed to fill a vacuum in eastern Europe left after the collapse of the pro-Nazi regimes of tyranny and arbitrary force which held power there during the last war. They were designed to contribute to the growth of a free and peaceful society in which man would enjoy those rights to which he is entitled as a human being and in which governments, responsive to the wishes of their own peoples, would respect the rights of other peoples. These obligations were directed toward the objectives set forth in the preamble of our Charter: to reaffirm faith in fundamental rights, in the dignity and worth of the human person, in the equal rights of men and women, and of nations large and small; to establish conditions under which justice and respect for international obligations can be maintained; and to promote social progress and better standards of life in larger freedom.

In the end, the success of our efforts for better and more friendly international relations, in fact

the success of all efforts to make the United Nations live and grow, are dependent upon our ability to eliminate all forms of tyranny over the mind and soul of man. Men and nations want to live and let live. Freedom can be shared by all men and all nations. Freedom can unite us. Tyranny inevitably must divide us. Whatever modest progress we can make in dealing with the question before us will be a progress toward the basic goal of the United Nations—peace with justice and freedom for all.

Enumeration and Verification of Atomic Weapons

Statement by Ambassador Warren R. Austin¹

Atomic weapons are in the jurisdiction of another commission not the creature of the Security Council. It is the creature of the General Assembly and obeys the mandate of the General Assembly. Other weapons than those in the jurisdiction of the Atomic Energy Commission are the only weapons within the jurisdiction of the Commission on Conventional Armaments. That Commission is obedient—note the word obedient—to the mandate laid down by the Security Council on February 13, 1947, which established the Commission on Conventional Armaments.

That mandate provides "that those matters which fall within the competence of the Atomic Energy Commission, as determined by the General Assembly resolutions of January 24, 1946, and December 14, 1946, shall be excluded from the jurisdiction of the commission here established."

I am not charging disobedience to anybody but I am asserting obedience by the majority to that mandate which excluded atomic energy and other weapons of mass destruction, by its definition, from its enumeration and verification.

The enumeration and verification of atomic weapons is comprehended in the plan of the General Assembly and the Atomic Energy Commission. The proposal for the addition of atomic bombs to the census adds nothing new. It continues to reflect an unwillingness on the part of the Soviet Union to recognize the real nature of the atomic problem. A census of weapons without verification is meaningless. This is another attempt to fool the public.

¹Made in response of the Soviet proposal in the Security Council on Oct. 11, 1949, and released to the press by the U.S. Mission to the United Nations on the same date. The Soviet draft resolution stated that "the Security Council recognizes as essential the submission by States both of information on conventional armaments and of information on atomic weapons." (U.N. dos. S/1405)

The Position of Korea in International Affairs Today

Statement by Charles Fahy, U.S. Alternate Representative to the General Assembly¹

The report of the United Nations Commission on Korea (UNCOK) is a painstaking, exhaustive, and competent survey of the position of Korea in international affairs today. Its authors, working under difficult conditions, have fully merited the confidence which their governments and the General Assembly have reposed in them. Their description of conditions in Korea gives rise, however, to apprehensions to which the General Assembly should address itself.

It is a profoundly disheartening fact that, despite the earnest efforts of the General Assembly and of the Commissions which it has sent to the field, the Korean people and their homeland remain divided with one-third of the people and one-half of the area of the country sealed off behind a barrier which they themselves are powerless to raise. The responsibility for this tragic split is clear from the Commission's report, if it were not abundantly clear before.

There is also a brighter side to the picture, however, and one which should be a source of pride and gratification to the General Assembly. Despite the obstacles which have been interposed, substantial progress has been made in bringing to the Korean people the freedom and independence which were pledged in the General Assembly's resolution of November 14, 1947. The Republic of Korea has not only survived the precarious first year of its existence, but has also grown in strength and maturity. It has been accorded recognition by more than a score of nations; this has taken place in spite of the pressure to which it has been and continues to be exposed in the form of actual and threatened military action, as well as guerrilla and other subversive activities directed from north of the 38th parallel. It is the view of my government that in the preservation of these hard-won gains lies the only hope for the eventual unification of all Korea on a democratic basis.

The Commission has been denied access to the part of Korea which lies north of that line. Its endeavors, whether directly or indirectly through the Secretary-General and the Government of the U.S.S.R., to communicate with those in control of that area have been disregarded in every case. It has been systematically vilified in radio broadcasts originating within that area and the threat has been made by those who dominate north Korea that they will drive the Commission out completely; individual Commission members have also been threatened through anonymous letters inspired from the north. The Commission comments in its report that the northern regime is the creature of a military occupant and rules by right of a mere transfer of power from that government. It has never been willing to give its subjects an unfettered opportunity under the scrutiny of an impartial agency to pass upon its claim to rule. Its professions of desire for unity are belied in its actions. Its activities reach deep into the territory of the Republic and interfere in an utterly irresponsible manner with the normal process of political development.

The Commission has seen at first hand these military and conspiratorial manifestations, projected upon the life of the people within the Republic of Korea, of the group which now controls the north. The Commission declares that there exists a serious danger of military conflicts, which in Korea would mean civil war. It testifies that conflicts which have already occurred upset the peaceful routine of the countryside and cause unnecessary loss of life, and it finds that the propaganda efforts of dissension and subversion have been stepped up.

It finds, moreover, that the U.S.S.R. lends countenance to northern leaders in bellicose utterances and in refusal to consider ways of adjusting relations on any plane between north and south.

Ample evidence is available to emphasize the bellicose character of the stand assumed by those who dominate north Korea. The attitude of the northern regime toward the south is flagrantly

¹ Made before the *Ad Hoc* Political Committee on Sept. 29, 1949, and released to the press by the U. S. delegation to the United Nations on the same date.

hostile. In its radio broadcasts it habitually refers to forces of the Republic as "the enemy." Its radio stations bombastically describe conflicts which have taken place, feats allegedly performed by soldiers serving the northern regime, and the award of distinguished service medals by the Presidium of the Supreme Korean People's Assembly to the soldiers in question. These stations applaud acts of violence committed by so-called "guerrillas" within the Republic of Korea and, using the most scurrilous language, incite its citizens to rise against that government.

So long as there exists in Korea the spirit of incitement to armed combat, and so long as upon occasion such conflict in fact occurs, the purpose of the General Assembly to bring about the unification and complete independence of Korea under a single national government, set up under the scrutiny of the Assembly's chosen agency, is gravely endangered, as is also the safety and well-being of the Republic of Korea and that of all its inhabitants. The General Assembly should give firm expression to the concern which the existence of a situation so contrary to its stated purpose must arouse among peace-loving peoples, and should furthermore make specific provisions for the gathering of more precise information regarding the nature of such conflicts as may occur, and regarding the quarter in which the responsibility for their occurrence is found to lie.

The United States delegation, with the delegations of Australia, China, and the Philippines, presents a draft resolution, which, after referring to the comments made by UNCOK on the existing situation and to the finding of the General Assembly at its third regular session regarding the status of the Republic of Korea, declares the concern of the General Assembly lest the safety and well-being of the Republic be menaced and lest open military conflict occur in Korea. The draft resolution calls for continuance of UNCOK in being, and confers upon the Commission the new function of observing and reporting any developments which might lead to the outbreak of such conflict. The presence of the General Assembly's Commission in Korea with the powers which we envisage for it will serve as an important stabilizing and deterrent influence. In the event that conflict should occur, the United Nations would have at hand testimony from a duly constituted agency regarding its nature and origin and regarding the responsibility therefor.

However, let nothing obscure our conviction that the final solution of the problem of Korea will not be possible until there can be established a single national government over an undivided country. It is for this reason that our draft reso-

lution stipulates that the Commission shall make its good offices available and shall be prepared to assist, whenever in its judgment a favorable opportunity arises, in bringing about the unification of Korea in accordance with the principles laid down by the General Assembly in the resolution of November 14, 1947.

The Committee will notice that the draft resolution makes provision for the Commission's possible appointment of observers to assist it in accomplishing these ends. We contemplate a Commission whose tasks will be of such a character as to call for the assignment of personnel technically accomplished and sufficiently numerous to permit their carrying on observation functions at various localities simultaneously.

A further provision, whereby the Commission is to be authorized in its discretion to utilize the services and good offices of one or more persons whether or not representatives thereon, is designed to give the Commission the broadest possible facilities in carrying out those of its functions relating to unification.

It will be noted that the joint draft resolution contains a provision that the Commission should be available for observation and consultation throughout Korea in the continuing development of representative government based on the freely expressed will of the people, including elections of national scope. Although during the past year UNCOK has been prevented from carrying out this function in north Korea, the authority to do so should be continued. Furthermore, the Commission has studied the development of representative government in the Republic of Korea, and chapter III of its report contains a useful and thorough description of what it has observed and thought upon the subject. We have noted that the Commission, upon invitation by the Government, has attended certain by-elections to the National Assembly which have been held during the year. The availability of the Commission to assist the Government of the Republic by performing such functions should be continued.

We consider that a Commission endowed with authority to perform these tasks will be able to act effectively in the defense of General Assembly accomplishments to date in facilitating the establishment by Koreans of the Government of the Republic of Korea, a government which reflects their own choice. We believe furthermore that such a Commission will be able to contribute substantially, in a manner appropriate in the light of present conditions in that country, to a realization of the Assembly's goal. That goal is now as always the creation, in accordance with the principles of the 1947 resolution and through common consent of the Korean people, of a national government representing before the world the will of a united Korea.

The United States in the United Nations

[October 8-15]

Without the pageantry which accompanies plenary meetings, the General Assembly this week worked soberly on its lengthy agenda, devoting itself completely to committee activity.

Political Committee

The Political Committee rejected a Polish motion to reopen committee discussion of the Greek question. The Committee previously had set up the Greek Conciliation Committee which is to report back to the Political Committee on the results of its discussions with representatives of Greece, Albania, Bulgaria, and Yugoslavia, as well as with delegates of the United States, U.S.S.R., and the United Kingdom. The Political Committee continued discussion of the Italian colonies issue, hearing representatives of nongovernmental organizations from Somaliland, Libya, and Eritrea. On October 10 the Political Committee appointed a subcommittee to consider solutions put forward in resolutions offered by committee members.

Economic and Financial Committee

The debate on economic development in Committee II showed that there was unanimous agreement in principle on the technical assistance program suggested by the Economic and Social Council. On October 11 the Soviet Union withdrew its objections to the plan of the Economic and Social Council and announced its support. The debate concluded on the subject on October 13, and the committee then began the consideration of specific details of the expanded technical assistance program.

Trusteeship Committee

On October 6 the Trusteeship Committee concluded its general debate on the Trusteeship report and proceeded on October 7 to a consideration of various resolutions dealing with the report. The Committee agreed to establish a subcommittee to correlate the various resolutions into a single proposal. Pending a report of the subcommittee, Committee IV adopted a proposal that the United Nations flag fly over all territories side by side with those of administering powers.

Administrative and Budgetary Committee

Committee V adopted the report of the Contributions Committee, referring in its discussion to the fact that the recommended reduction of the United States contribution was very small and that other inequities still existed in the scale of contributions proposed by the Committee. The Committee then began a scrutiny of 1950 budget estimates submitted by Secretary-General Lie who, in introducing these budget estimates, observed that the total was "not very large" when compared to the vast sums spent for armaments and to repair the damage of past wars.

Legal Committee

Committee VI, continuing its consideration of the report of the Special Committee on Assembly methods and procedures, recommended further study of mechanical and technical devices for recording votes. The Committee disapproved the idea of establishing a pre-General Assembly agenda committee, giving weight to arguments that such a committee would not only add expense but also would duplicate functions of the General Committee. The Committee established a subcommittee to act as a drafting committee on rules of procedure. The Committee then turned to the report of the International Law Commission.

Ad Hoc Political Committee

The Committee continued its consideration of human rights violations in Bulgaria, Hungary, and Rumania. There were sharp exchanges between representatives of the Soviet Union, Poland, Ukraine, and Czechoslovakia, on the one hand, and representatives of the United Kingdom and the United States, on the other. The Committee completed its general debate on October 12, and on October 13 by a vote of 41 to 5, with 9 abstentions the Committee recommended that the International Court of Justice be asked whether a formal "dispute" exists between the Western accusers and Bulgaria, Hungary, and Rumania, within the framework of the treaties. If the ruling is affirmative, the court then is asked to decide whether the three states are obligated, under the treaties, to participate in the work of commissions of investigation.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

U.S. Delegations To International Conferences

U.K., U.S., Canada To Review Declassification Guide on Atomic Energy Information

[Released to the press by AEC September 12]

It was announced in Ottawa, London, and Washington today that in the interest of continued uniform application of measures for security of the atomic energy information which they hold in common, representatives of the atomic energy agencies of Canada, the United Kingdom, and the United States will hold their third declassification meeting September 26-28 at the Canadian Atomic Energy Research Establishment at Chalk River, Ontario, Canada.

The three nations now use uniform Declassification Guides in determining what information arising from their atomic energy research and developmental work may be published and what information is to be kept classified and restricted in circulation. The uniform guides were developed at the first declassification meeting of the representatives of the three governments in November 1947, at Washington, D.C., and were revised at a second meeting held at Harwell, England, in September 1948.

At the forthcoming third meeting, the Guides will be reviewed in the light of technical developments of the past 12 months. The purpose of the review is to assist in maintaining maximum security of the information held in common by the participating nations.

Representing the three nations at the declassification meeting will be:

United Kingdom

Dr. R. E. Peierls, Professor of Mathematics, University of Birmingham
Dr. H. J. Emeléus, Professor of Chemistry, Cambridge University
Dr. H. W. B. Skinner, Head, General Physics Division, Atomic Energy Research Establishment
J. F. Jackson, Technical Administrative Office, Atomic Energy Research Establishment

United States

Dr. W. C. Johnson, Chairman, Department of Chemistry, University of Chicago
Dr. W. F. Libby, Professor of Chemistry, University of Chicago
Dr. J. M. B. Kellogg, Leader, Physics Division, Los Alamos Scientific Laboratory
Dr. R. L. Thornton, Professor of Physics, University of California
Dr. F. de Hoffmann, Los Alamos Scientific Laboratory, Secretary, Committee of Senior Responsible Reviewers

Drs. Johnson, Libby, Kellogg and Thornton are Senior Responsible Reviewers of the United States AEC Declassification system

Dr. J. G. Beckerley, Chief, Declassification Branch, U. S. AEC
C. L. Marshall, Deputy Chief, Declassification Branch, U. S. AEC
Dr. H. A. Fidler, Area Manager, Berkeley Area, U. S. AEC
Bennett Boskey, Deputy General Counsel, U. S. AEC

Canada

Dr. W. B. Lewis, Director of the Division of Atomic Energy Research, Chalk River
Dr. W. H. Watson, Director, Physics Sub-Division
Dr. L. G. Cook, Head, Chemistry Branch, Atomic Energy Project, Chalk River, Secretary
Dr. B. W. Sargent, Head, Nuclear Physics Branch
Charles Walker, Declassification Officer, Secretary

ECAFE: Fifth Session

The Department of State announced on October 11 that the President, with the approval of the Senate, has named Myron M. Cowen, American Ambassador, Manila, Republic of the Philippines, as United States representative to the fifth session of the United Nations Economic Commission for Asia and the Far East (UN ECAFE). The meeting is scheduled to be held at Singapore, October 20-29, 1949. The Department of State has named the following advisers to the United States representative:

Department of State Bulletin

J. Russell Andrus, first secretary-consul, American Embassy, Manila
 Barry T. Benson, commercial attaché, American Embassy, Bangkok
 Merrill C. Gay, Office of Far Eastern Affairs, Department of State
 Seymour Glazer, information officer, American Consulate General, Saigon
 Alexander Lipsman, treasury attaché, American Embassy, Manila
 Edward E. Rice, first secretary, American Embassy, Manila

The Economic Commission for Asia and the Far East is one of three regional economic commissions of the United Nations Economic and Social Council. ECAFE's primary objective, according to its terms of reference, is to "initiate and participate in measures for facilitating concerted action for economic reconstruction in the Far East" and for "raising the level of economic activity" within the region. ECAFE has as its purpose the maintenance and strengthening of economic relations of countries within the region, both among themselves and with other countries of the world. The fourth session was held at Lapstone, New South Wales, Australia, November-December 1948.

ECAFE's membership is comprised of Australia, Burma, China, France, India, the Netherlands, Pakistan, the Philippines, Siam, the United Kingdom, the Union of Soviet Socialist Republics, and the United States.

In addition to the main session, three of ECAFE's committees will meet also at Singapore in October. Ambassador Cowen will serve as chairman of the United States delegation to the meeting of the Committee on Industry and Trade, scheduled to be held October 12-17. The United States delegation advisers to the fifth session of ECAFE will also serve as advisers at the Industry and Trade Committee meeting. This Committee replaces the ECAFE Committee of the Whole and is intended to promote the implementation of the recommendations of ECAFE; to review reports of the ECAFE Secretariat, working parties, and subcommittees; and to take such other action as ECAFE directs.

Barry T. Benson, commercial attaché, American

Embassy at Bangkok, has been named United States delegate to the meeting of the *Ad Hoc* Subcommittee on Travel, scheduled to be held October 12. This Committee is to seek means of eliminating, as far as possible, unnecessary restrictions which tend to hamper travel across international boundaries.

Mr. Benson is currently serving as United States observer to the meeting of the Committee on Inland Transport which convened October 5 at Singapore.

General Assembly of International Criminal Police Commission

The Department of State announced on October 11 that Horton Telford, attaché, American Embassy at Paris is representing the Federal Bureau of Investigation at the General Assembly of the International Criminal Police Commission which convened October 10 at Bern, and is scheduled to adjourn October 15.

J. Edgar Hoover, Director of the Federal Bureau of Investigation and a Vice President of the International Criminal Police Commission, is unable to attend this meeting.

The Commission was established in 1924 to promote mutual assistance between criminal police authorities, within the laws existing in the different countries, and to establish and develop institutions which would contribute to an efficient repression of common-law crimes and offenses. The last General Assembly was held at Praha, in 1948.

Senate Confirms Nominations of U.N. Representatives

On October 13, 1949, the Senate confirmed the following nominations to be representatives of the United States of America to the United Nations:

John C. Ross to be deputy representative to the Security Council.

Ernest A. Gross to be deputy representative with the rank and status of Ambassador Extraordinary and Plenipotentiary and deputy representative to the Security Council.

THE RECORD OF THE WEEK

The Stake of Business in American Foreign Policy

*by Deputy Under Secretary Rusk*¹

I propose to discuss two or three things which I believe are of deep concern to you, both because you are businessmen and because you are American citizens.

The foreign policy of the United States is essentially very simple. We seek to bring about conditions in the world in which our free American institutions can survive and flourish. We seek peace, human liberty, and economic well-being. The primary obligation of our own government is to seek peace, liberty, and economic well-being for our own people, but we have discovered through bitter and revealing experience that this cannot be done so long as aggression, tyranny, and dire distress are rampant in other parts of the world. Isolation is not only politically, morally, and economically undesirable; it has become physically impossible. Hence, indifference to events around the world would be a form of insanity. For it is only by achieving jointly with others the great objectives which the American people share with the other peoples of the world that we can expect to be able to meet our own basic needs and requirements.

Your primary stake in our foreign policy is peace. National security is the elementary task of government. Since we are the kind of people we are, and since modern war has become what it is, security demands that we prevent war. But the prevention of war is not entirely within our own hands, however strong or prosperous or peace-loving we may think we are. If we are to deal with this business of war successfully, we

must work with as many other governments as possible across the entire range of our foreign policy—both in the United Nations and in our regular diplomacy. Nor can we forget that some other government, in a moment of madness, might force the issue of war, regardless of the views of the rest of world. We can do a great deal in the interest of peace, but we cannot guarantee that we shall have it so long as there are those who are not subject to the restraints which we ourselves are willing to accept.

How do we proceed to do what we can to achieve a tolerable peace?

We seek compliance by all states, including of course ourselves, with the minimum standard of conduct in international relations required to maintain the peace. The Charter of the United Nations expresses it as follows:

All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.

All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

We are talking about the minimum standard of conduct required of all, regardless of political philosophy, domestic organization, or national idiosyncracies. This minimum standard is framed to permit nations to live at peace with each other despite the great differences in their political, economic, and social institutions. If this minimum standard is observed, many of the specific disputes of our day could be readily resolved. If we are concerned about the Soviet Union, it is not because they wish to organize themselves along

¹ Remarks made before the Boston Conference on Distribution held in Boston, Mass. on Oct. 10, 1949, and released to the press on the same date.

Communist lines—if they wish to waste their energies and resources that is their business. But we are concerned because the Soviet Union is pursuing a course of Russian imperialism incompatible with the minimum conduct required by the international community of nations. In Yugoslavia we have, if we ever needed, a clear demonstration that being Communist is not enough for the Kremlin. Communists in other lands are expected to yoke themselves to the national interests of the Russian state. While western Communists are stirring with resentment at this compulsion, we can wonder how long it will take those Chinese who have fallen under Communist domination to begin to feel the impact of the same bitter truth.

There has been considerable talk of the need for an "agreement" with the Soviet Union. If by "agreement" is meant a settlement of the particular points at issue between us at any one time, we are ready to do what we can to reach such settlements in the proper forum. But if it is supposed that our problem would be met by a new over-all pact with the Soviet Union, then the nature of the problem is not fully understood. Basically, what we need is not a new "agreement" but performance on the agreements we already have; not an additional piece of parchment to sign, but execution of promises already made. The United Nations Charter is our peace pact, the greatest in the history of man, and United Nations machinery is available to help in the settlement of disputes. Compliance with the Charter and support for United Nations machinery would bring us a long way down the road toward a stable peace.

I said a moment ago that we are ready to do what we can to reach a settlement of specific issues in the proper forum. Why "the proper forum"? There are very few strictly bilateral issues between the United States and the Soviet Union. The lend-lease settlement, Madame Kasenkina, Mr. Gubitchev, the treatment of American citizens by Soviet authorities are a few samples. These matters are troublesome, but I believe they can be negotiated out. But these are not the causes of the deep anxiety which has marked the postwar period. Greece, Iran, Korea, China, Germany, Austria, Japan, Yugoslavia, Palestine, Kashmir, Indonesia—these have been the scenes where issues have arisen to threaten the peace. But these are not matters which concern only the Soviet Union and ourselves. In fact, they involve the vital interests of other governments and peoples—in some instances the very disposition of large populations. Others are, in fact, more deeply interested than are we ourselves. We are able in many cases, as comparatively disinterested parties, to lend a hand in an effort to find a solution—an effort which itself has imposed great burdens upon the conduct of our foreign relations. It is not always comfort-

able to have the task of finding a point of agreement between Dutch and Indonesian, Pakistani and Indian, Jew and Arab. But these and other such issues are not to be settled by the United States and the Soviet Union in a bilateral trading-out of the basic interests of others in exchange for an enduring *modus vivendi* between the two of us—for a result which would have to be imposed upon the unhappy victims of big-power politics. President Truman said at Berkeley, California, in June 1948:

I have said before and I repeat now: The door is always open for honest negotiations looking for genuine settlements.

The door is not open, however, for deals between great powers to the detriment of other nations or at the expense of principle.

The main issue of peace is the issue of aggression—direct aggression by armed forces across national frontiers as well as indirect aggression by subversion, infiltration, intimidation, and sabotage. This is in no sense an issue between the United States and the Soviet Union—it is an issue between the Soviet Union and the rest of the world. The result has been that the Soviet Union and its pitiable satellites have found themselves in a small minority in the United Nations—a minority position not imposed by others but flowing inescapably from the policy and the conduct which can not be reconciled with the United Nations Charter.

The Security Council, the General Assembly, the Council of Foreign Ministers, the Korean Commission, the Balkan Commission are forums in which settlements can be reached among those principally interested; where the parties can be heard and the issues influenced by impartial opinion; where discussion is influenced by great international documents which have sought to set the pattern of conduct which states must follow if there is to be peace and accommodation.

We are now observing a "world-wide" "peace offensive" by the Soviet Union. Unfortunately, there will be some who will be misled by words which divert their attention from deeds. That aggression against human intelligence is being committed is perfectly clear when we realize that this "peace offensive" seeks to hide the frustration of the Security Council, the boycott of the Balkan and Korean Commissions, refusal to participate seriously in the work of the United Nations Atomic Energy Commission and Commission for Conventional Armaments, boycott of the Interim Committee of the General Assembly, refusal to carry out clauses of Balkan peace treaties relating to methods of settling disputes arising under those treaties, refusal to participate in or support the specialized agencies of the United Nations, refusal to contribute to humanitarian and peacemaking efforts such as Palestine Refugee Relief, the International Children's Emergency Fund—the list is long and dismal.

Because the main issue of peace is an issue between the Soviet Union and the rest of the world, it becomes important that the rest of the world be strong enough to leave a possible aggressor in no doubt but that aggression will result in disaster to its instigator. The United States must be strong, but its strength must be joined with the strength of others. The Rio pact, the North Atlantic pact, Western Union, the Military Assistance Program are all parts of the effort being made to strengthen those who are prepared to comply with the Charter and to resist aggression.

The production of an atomic explosion by the Soviet Union does not fundamentally change but adds new emphasis and urgency to the problem of maintaining the peace. The comparative calm with which the news was received does not mean that it was unimportant or of little consequence. The essential elements of the problem, however, remain. Either we do or we do not achieve effective international control of atomic energy. From the moment of its development, the United States has sought to join with others in establishing effective international control of this new force in order that we might live in reasonable security and not under the shadow of an atomic armaments race. We still seek such international control and are willing to examine sympathetically every proposal to bring that about. But effective international control requires, as a minimum, full knowledge of the existence and use of dangerous materials and international control of such use. We dare not delude ourselves by calling anything less "international control."

Without effective international control of atomic energy we must face the possibility—I say the possibility—of competition in atomic weapons and the use of such weapons in war. At this point we come back to the fundamental problem of security with which we started—we must prevent war itself—and in the process we must insure that those governments and peoples who are willing to abide by a satisfactory standard of conduct are strong enough and determined enough to dissuade any government from trifling with the notion of aggression. If aggression by atomic means occurs, it must be met by all the resources of the human race, and this must somehow be made known in advance to permit no miscalculation on the part of a potential wrongdoer.

A second great stake which you have in our foreign policy lies in the economic field. Peace and economic well-being can not be separated. Nor can the economic well-being of the United States be achieved outside the framework of a successfully functioning economic system in the world about us. I trust that we shall not go through the dismal process again of learning that simple fact through experience. Men must produce, and

trade, and be allowed to consume. Through trade the total product increases and standards of living rise. The principles are simple and are generally recognized. The practice is enormously complex and is beset with difficulties at every turn.

Attention has recently been called in a dramatic fashion to one aspect of our economic problem which relates specially to the United States. For a generation we have found ourselves a creditor nation and with a large surplus of exports over imports. The rest of the world wishes to buy from us more than they are able to sell to us. In the 1920's we closed the gap largely by buying foreign securities through ordinary investment channels; in the 1930's we closed it by buying foreign gold and by buying back foreign holdings of American securities; in the 1940's we have closed it by very large governmental loans and grants. What shall we do about it in the 1950's? Common sense suggests that we close the gap at a high level of trade rather than at a low level. Common sense also suggests that it is in our interest to exchange value for value across our national frontier to get something in return for our exports rather than give them away in one device after another. That would seem to mean that we must be prepared to buy goods and services from others on a scale greater than we are doing at the present time. I am told that if every retailer in the United States bought 1 or 2 percent more of imported goods, the dollar gap would be solved. I am told that only 3 percent of our national income is being spent for imports at the present time as compared with 7 percent before the recent war. I do not suggest that the matter is as simple as that, but to a considerable extent you gentlemen represent American consumers—and the American consumer has a large part of the answer in his own hands.

The unbalance between dollar and nondollar areas is by no means our only economic problem in the international field. Nations in Western Europe, with an inheritance of devastation and economic dislocation from the recent war, must find a way to earn their own livings and to place themselves in a rational relation to each other in economic matters. In the process, the untapped energies of individual men and women must be called upon for a great effort of reconstruction and revival. The United States has made an enormous effort since the war to bring this second great workshop of the world back into running order, both by providing essential materials and by invoking the return of self-confidence without which men can not seem to help themselves. We believe that the European Recovery Program is playing a role of the greatest historic importance, not only to the people of Europe but to the American people as well.

The extension of the reciprocal trade-agreements program by the Eighty-first Congress will permit us to support international trade at freer and higher levels than would otherwise be possible.

The effective operation of the Ito, whose Charter is now before the Congress, will be a significant step toward a free and multilateral trade structure which will be of great benefit to American businessmen.

We recognize that conditions in many countries are such as to make trade and investment unattractive—and, in many instances, impossible. We are using all the means of diplomacy available to us to reduce obstacles to trade and investment arising out of national policies or business practices. In addition to the negotiation of commercial treaties, we have asked the Congress to enable us to provide certain guaranties for American investors abroad against risks which are not considered normal business risks.

Imbalance of trade has created problems of exchange and of investment which are being attacked through the International Monetary Fund and the International Bank.

We are convinced that rising standards of living in other parts of the world are of direct and immediate benefit to the United States. The Export-Import Bank is assisting in developmental projects where private capital is thus far unavailable, in an effort to increase the income-producing capacity of other countries. Through the technical assistance program which has now been presented to Congress, we hope that we shall stimulate the economic advancement of many areas where development is needed, where resources are present, but where technical know-how is missing.

In the economic field, again, we have discovered that there are those who seek to destroy rather than to build. Again, it is the Soviet Union which exhibits an interest in distress, disorder, and decay. Since communism can not hope to thrive where people are busy, productive, and content, communism has contributed little but sabotage to the solution of our international economic problems. At the American Legion convention at Philadelphia in August of this year, President Truman called attention to the fact that

It became clear that the Soviet Union would not join in working for world economic recovery . . . Its aggressive foreign policy created alarms and fears that hampered recovery.

In this connection it is significant to note that the Soviet Union has refused to join and support any of the specialized agencies of the United Nations which are laboring to bring order into our economic structure, it has vetoed participation in the European Recovery Program by its neighbors in

eastern Europe, has incited strikes and disorders in critical industries in western Europe.

In summary, your interest in our foreign policy comes to nothing less than your inescapable interest in the creation of a working political and economic order throughout the world. The United States has taken the lead in this effort. It is a leadership which has been thrust upon us, which we often find uncomfortable, for which we have not been properly trained. But it is a leadership which we can not escape, because we shall make decisions as readily by inaction or by indecision as by positive acts.

Between the simple principles which I outlined at the beginning and the millions of transactions which occur between us and foreign governments each year, there are a great mass of governmental decisions which have to be made. They involve both the science and art of government and ramify into every aspect of the life of our people. This process must be subject to constant inspection and criticism by you, both as businessmen and citizens, in order that the main trends of governmental action go in the direction desired by the people of this country.

In the political field, we shall strive to follow policies which not only promote the national interest but commend themselves to fair and impartial men the world over. We shall seek agreement where we can find it, within the framework of our international obligations and the right conduct which is expected of us. We shall encourage those who are prepared to live at peace with their neighbors and seek to strengthen those who will defend the peace of the international community against aggression. We shall accept our full share of the responsibilities and burdens of international life but we shall give due regard to the interests and opinions of others.

Our citizens must clearly recognize how difficult is the job we face. We are on the constructive side, we are among those who are seeking to build. It is easy and cheap to dynamite a bridge, to organize a riot, to create prejudice and passion. It is difficult and complicated to organize a peace, to get 2 billion people in position to earn a decent living, to arrange trade and exchange across 80 or more national frontiers, to adjust infinite variety to a single standard of conduct. We shall have our failures because of the very difficulty of the things we are trying to do. But with imagination, courage, faith, persistence, and hope we shall pick ourselves up from our failures and get on with the job. And we shall find, in the long run, the great mass of the people of the world with us in this effort.

Period for Applying for Import License for French Morocco Extended

[Released to the press October 11]

The United States has assented for a provisional period of 60 days to the application to American businessmen of the import-license regulations of French Morocco which were originally announced on December 30, 1948, upon the basis of the revised terms recently negotiated between the United States and Protectorate representatives in Rabat, effective October 10. During the 60-day period, discussions are to continue on certain associated problems in the economic relations of the two countries.

The revised terms of the application of Moroccan import-license regulations are designed to clarify and improve the present conditions and the future prospects for American participation in supplying the import requirements of French Morocco.

These detailed terms will appear in an early issue of *Foreign Commerce Weekly* and will shortly be available in mimeographed form from the Office of International Trade, Washington, D.C., and from the field offices of the Department of Commerce.

Satellite Protests Against Bonn Government Echo Soviet Views

Statement by Secretary Acheson

[Released to the press October 12]

Within the last 10 days, the Governments of Poland, Czechoslovakia, Hungary, and Rumania have presented notes or made public declarations protesting the establishment of the German Federal Republic. These statements all echo dutifully the views expressed in the Soviet notes of October 1 to the United States, British, and French Governments. All of these statements indulge in totally unfounded accusations against the Western powers.

Despite the fact that certain of these countries were allies of Nazi Germany, the Government of the United States recognizes that the peoples of all those states which are neighbors of Germany or which have been the victims of Nazi aggression, have a legitimate interest in German affairs. But it must emphatically reject the attempt by governments which have been foisted upon their own peoples by totalitarian methods to criticize, in the interests of a foreign power rather than of their own people, the actions of those nations which are

endeavoring to establish democratic institutions in the greater part of Germany for which they are responsible.

It is clear that these notes and declarations were presented solely for the purpose of reinforcing the Soviet protest of October 1. As was pointed out by the Under Secretary in his statement of October 6,¹ it is evident from the record that the Soviet Government is fully accountable for the breakdown of four-power control and for the present division of Germany. Any protests against the violation of the Potsdam Agreement on Germany and the resulting division of that country might more appropriately be directed to the Soviet Government.

East German Government Established Through Soviet Fiat

[Released to the press October 12]

The United States Government considers that the so-called German Democratic Republic established on October 7 in Berlin is without any legal validity or foundation in the popular will. This new government was created by Soviet and Communist fiat. It was created by a self-styled "Peoples' Council" which itself had no basis in free popular elections. This long-expected Soviet creation thus stands in sharp contrast to the German Federal Republic at Bonn which has a thoroughly constitutional and popular basis. The eastern government rests on no constitution written by democratic representatives of the states of the Soviet zone. The new government is not the outcome of a free popular mandate and according to reports elections have been postponed until October 1950. The new government and its Soviet masters are obviously afraid to risk the verdict of the people of the Soviet zone.

Unlike the Government at Bonn, the Soviet zone government has no formalized relationship to the Soviet occupation authorities although every effort will be made by the latter to describe it as a free and independent government. It is obvious, however, that in reality it will be a subservient and controlled government since its actions will be dictated behind the scenes not by the people of the Soviet zone but by the Communist Party directed from Moscow. Such a government cannot claim by any democratic standard to speak for the German people of the Soviet zone; much less can it claim to speak in the name of Germany as a whole.

Under these circumstances, it is perfectly evident that all of the high-sounding talk about a peace treaty, an end to the state of war, and the withdrawal of occupation troops will be devel-

¹ BULLETIN of Oct. 17, 1949, p. 590.

oped solely for its propaganda appeal to the German people. As long as an autocratic Communist regime remains fastened upon the people of eastern Germany and carries out Soviet policies under the protection of a large militarized Communist police force, it would be meaningless to speak of a peace treaty, or an end of the state of war, or the withdrawal of Soviet troops. The United States Government and the Governments associated with it will not in any way be deceived or diverted from their course of action by the events which have taken place at Berlin and will continue to give full support to the Government of the German Federal Republic at Bonn in its efforts to restore a truly free and democratic Germany.

Dismantling in Germany Handled by Governments

Statement by John J. McCloy

[Released to the press October 10]

Following is the text of a statement on reparations issued by United States High Commissioner, John J. McCloy, in Frankfurt on October 9, 1949.

The matter of dismantling is now not in the hands of the Commissioners. It is entirely a governmental matter. The Governments have stated their position in regard to the cessation of dismantling. I have frequently been asked my personal views. My personal view does not favor a cessation of dismantling unless and until guarantees as to security and reparations can be given by Germany sufficiently strong to justify it. It is a highly technical subject and one as to which a most detailed study is required. My colleagues views are their own and I would not attempt naturally to express them or imply them. Certainly I have had no intimations from either of them that their views toward dismantling differ in the slightest degree from those of their Governments.

President Truman Welcomes Prime Minister Nehru

[Released to the Press by the White House October 10]

Mr. Prime Minister, I am very happy to welcome you to this country on behalf of the Government and people of the United States. I greet

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you not only as the chief minister of your government, but also as the loved and respected leader of a great nation of free people.

Destiny willed it that our country should have been discovered in the search for a new route to yours. I hope that your visit, too, will be in a sense a discovery of America.

I extend to you the hospitality and good will of the people of the United States with the hope that your visit among us will leave you with the firm conviction that we are indeed your warm friends.

Elections in Austria Show Political Maturity

[Released to the press October 10]

The Department of State today issued the following statement on yesterday's elections in Austria.

According to available reports, the elections in Austria were conducted with complete freedom in all occupation zones, so that the results must be regarded as the democratic expression of the political choice of the Austrian people. The increase of the electorate by nearly one million votes and the remarkable participation of approximately 95 percent of all qualified voters combine to make these elections even more representative than the previous elections of 4 years ago.

Continuation of the stability which has characterized the Austrian political scene since 1945 appears to be assured by the overwhelming victory of the two parties which have hitherto made up the government—the People's Party and the Socialist Party. These two parties, representing between them some 83 percent of the electorate, have indicated their willingness to continue in coalition and to work together toward the goal of full national independence.

The Austrian elections have also been characterized by the emergence of a new party, the Association of Independents, which has campaigned without a past record of accomplishment and on which opinions may best be withheld until it can prove, by its actions in the Austrian Parliament, whether it has a useful contribution to make to the democratic political life of Austria.

The decrease of the popular representation of the Austrian Communists conforms to the general trend in the other free European countries. Despite the accession of a dissident splinter of the Socialist Party, and a large increase of the total electorate, the Communists received an even smaller percentage of the total vote than in 1945, although due to the distribution of their vote they received one more seat in Parliament.

The Austrian people, by freely expressing their

political convictions in spite of the presence of foreign troops on their soil, have again demonstrated their political maturity and their united determination to protect their democratic institutions.

U.S.S.R. Asked To Assist in Finding Location of U.S. Merchant Vessel

[Released to the press October 3]

Upon instruction of the Secretary of State, Ambassador A. G. Kirk at Moscow on October 1 delivered the following note to the Foreign Office of the U.S.S.R.:

I am instructed by my Government to bring to Your Excellency's attention the matter of the U.S. merchant vessel, *Kimball R. Smith*. The vessel is of the N-3 type, having a steel hull, single deck with full scantling, vertical stem and cruiser stern. It is 258 feet in length, has 1885 gross tons, and dead weight of 2778 tons. The *Kimball R. Smith* left Pusan, Korea on September 20 with a cargo of salt destined for Kunsan, Korea. It is on loan from the U.S. Government to the Government of the Republic of Korea. Title to the vessel rests with the United States Government although, while on loan, the vessel operates under the flag of the Republic of Korea. Ship papers on board the vessel include an Affidavit of Title verified by the American Consul General, Yokohama; provisional load line certificate issued by the United States Bureau of Shipping, dated May 28, 1949; an International Load Line Certificate issued July 8, 1949 and two United States Bureau of Shipping Surveys dated February 28 and May 14, 1949 respectively.

The two American officials of the United States Economic Cooperation Administration sailed with the vessel as advisors to the Korean crew. The officials are Alfred T. Meschter, bearing American diplomatic passport No. 783 dated April 1, 1949 and Albert Willis, having American diplomatic passport No. 834, dated April 6, 1949.

On September 24 the Pyongyang radio station in Korea announced the arrival of the *Kimball R. Smith* at the port of Chinnampo on September 22. In view of the fact that no further word has been received, it would be appreciated if the Soviet Government would lend assistance in ascertaining the exact location of the vessel, the welfare of the two American officials, and would facilitate the prompt departure of the officials and the vessel in order that they may proceed to the port of original destination.

Greek Writer Receives First Grant Under Smith-Mundt Act

Elias Venezis, one of the leading writers of present day Greece, has just received the first grant awarded by the State Department in the Eastern Hemisphere under the program authorized by the Smith-Mundt Act for the international exchange of leaders and specialists. Grants under this program, which represents one phase of a broad information and educational exchange, are awarded to persons who have attained outstanding prominence in their fields of specialization, and who can also serve effectively in furthering a spirit of understanding and friendship between the United States and foreign countries.

Mr. Venezis came to this country on his own initiative some 2 months ago for the purpose of obtaining a first-hand knowledge of America and the American way of life, which he plans to incorporate into a book to be published on his return to Greece. Since his arrival here, he has visited cities in the East and Midwest, including New York, Buffalo, Niagara Falls, Detroit, and Chicago. He has been awarded a grant to enable him to remain here for an additional 2 months and to continue his observations in other sections of the country.

Mr. Venezis was one of the million and a half Greeks who fled from Asia Minor to Greece in the great exodus of 1922 and literary expression to this experience has been given in some of his works.

Since his arrival in the United States, Mr. Venezis has been giving his impressions of this country in a series of talks on the Voice of America, including one on the Chicago Music Festival in August, on Times Square, and on the City of Washington. He plans to continue these talks throughout the remainder of his trip and to publish a series of articles on his impressions of the United States in one of Greece's leading daily papers, *Vima*.

Chinese National Anniversary Celebrated

[Released to the press October 10]

President Truman on October 10 sent the following message to the Acting President of China, Li Tsung-Jen.

On this national anniversary I extend to Your Excellency and to the people of China the sincere good wishes of the people of the United States.

Release of Earmarked Gold in Japan

Released to the press October 5

DIRECTIVE TO THE SUPREME COMMANDER FOR THE ALLIED POWERS¹

Whereas in international law and monetary practice in the absence of clear proof of a contrary intent the earmarking of gold transfers the title to such gold and the right to the possession thereof to the person in whose name the gold is earmarked with the same force and effect as transfer of title accompanied by physical transfer;

Whereas there is held under your control in Japan a quantity of gold bullion earmarked by Japanese authorities before the surrender of Japan for the Government of France and the Government of Thailand, their agents or nationals;

Whereas France and Thailand are members of the United Nations, and

Whereas it is your responsibility pursuant to Part II, Paragraph 3 of the Basic Post-Surrender Policy for Japan, Directive Serial No. 82 to protect the interests, assets and rights of all Members of the United Nations and their nationals,

You should release to the duly accredited representatives of the Governments of France and Thailand gold held in Japan earmarked before the surrender of Japan for them, their agents or nationals and permit the assignment or removal of such gold in accordance with international monetary practice, except for any portion of the gold to which you determine that the Government of Japan or its agents did not have good title at the time of earmarking, and any portion which was transferred by Japan in compensation for property which has subsequently been restituted in accordance with policy directives transmitted to you pursuant to the terms of Reference of the Far Eastern Commission. The determination of the portion mentioned in the last clause in the immediately preceding sentence, if any, should be the subject of direct negotiations by you with the claimant government.

U. S. PRESENTS MEMORANDUM TO FEC²

Upon the instructions of my government I desire to make the following statement concerning

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the problem of the gold in Japan earmarked for France and Thailand and the announced intention of the United States to issue a directive to the Supreme Commander to release the gold to those countries.

The decision of my government that the gold should be released was made after extended study of the legal rights of the parties and after thorough consideration of all the factors involved. My government concluded, first, that France and Thailand undoubtedly became the owners of the gold both under international monetary practice and the ordinary law governing commercial transactions. The earmarking of gold is an accepted method of transferring title thereto, and in the opinion of the financial authorities of this Government, should be treated in good faith as an accepted method of international payment. In the present cases these earmarkings were not only registered in the books of the Japanese banks but specific gold bars were physically marked and segregated and acknowledgments of custody for the Bank of Indochina and Bank of Thailand respectively were executed.

My government has concluded that there are no considerations to justify disregarding the property rights of France and Thailand. As a matter of law the gold is clearly not Japanese. It is true that much of the gold was transferred during a period when the countries concerned were at war with certain of the members of the FEC or were under enemy occupation. There is nothing in international law, however, which makes compensation for goods and services illegal, whether made to a neutral, a cobelligerent, or an occupied-enemy power. There is nothing, moreover, in the practice of the Allied Powers in the postwar gold settlements in Europe which could justify disregarding the present transfers. No efforts were made in those settlements to set aside transfers of gold by the enemy powers except in the case of gold which had been looted. Since the present case involves the ownership of physical property, title to which was lawfully transferred, it is entirely

¹ Issued on Oct. 3, 1949.

² Statement made by Major-General Frank R. McCoy in the Far Eastern Commission meeting on Sept. 15, 1949.

distinct from monetary claims which these and other countries may have in consequence of commercial and financial transactions during the war. My government agrees entirely that the availability of Japanese assets and foreign exchange resources to pay monetary claims must be considered in the light of competing claims arising out of the war and the occupation.

Lastly, my government concluded that notwithstanding the values involved this matter does not present a policy question which is appropriate for consideration by the Far Eastern Commission, but rather the implementation by the Supreme Commander, under a supplementary directive issued by the United States in accordance with section 1 of paragraph III of the terms of reference of the FEC, of the general decision of the Far Eastern Commission with respect to the assets of members of the United Nations and their nationals. The directive which my government proposes to issue thus is of an administrative nature and does not determine any policy questions which fall within the province of this Commission.

In response to the specific request of the Australian member my government has prepared and will circulate to the members here a memorandum giving certain factual information about the transactions involved. As indicated previously my government intends shortly to issue the proposed directive, which will be filed with the Commission.

Replies to Queries at 163rd FEC Meeting

1. The total value of the gold earmarked for France and Thailand is approximately \$81,000,000 of which \$37,300,000 (approximately 33,000,000 grams) is earmarked for the Bank of Indochina and \$43,700,000 (approximately 38,800,000 grams) for the Bank of Thailand.

2 (a). 20,777,000 grams of gold were earmarked for the Bank of Indochina pursuant to a commercial agreement made on May 6, 1941. Under this agreement yen accruing to the credit of Indochina were converted from time to time into gold. The commodities supplied by Indochina consisted principally of rubber and rice. The last earmarking under this arrangement was in May, 1943. Under a further agreement, for the use of French ships by the Japanese, one-third of the yen paid to Indochina were converted by earmarking gold. Under this agreement 439,000 grams of gold were earmarked for the Bank of Indochina in May 1943. The balance, 11,840,000 grams of gold, was earmarked in payment for supplies purchased by the occupation forces in Indochina, one-third of the yen accruing to Indochina being subject to conversion. The last earmarking under this arrangement was in September 1942.

(b). Gold was earmarked for Thailand under a series of arrangements whereby yen credits were established by the Japanese in payment for baht credits given by Thailand to Japan, a portion of the yen to be converted into gold. The first such agreements, in 1941, involved the granting of credits to finance trade between the two countries. The later advances of baht were made as a result of demands by the Japanese military. In both cases the primary commodity purchased by the Japanese was rice; other important commodities were tin and rubber. The goods and services were supplied by Thailand from early 1941 until the middle of 1945.

3 (a). Gold was earmarked for the Bank of Indochina in 1941, 1942, and 1943. Approximately one-third of the gold was earmarked before December 7, 1941.

(b). Gold was earmarked for Thailand between August 28, 1941, and July 5, 1945, inclusive.

4. In all cases, specific bars were physically marked and segregated, and acknowledgments of custody for the Bank of Indochina or the Bank of Thailand, as the case may be, were executed. The Thai Government under the agreements was permitted to inspect the gold in the Bank of Japan and is in possession of full documentation indicating the specific bars owned by and set aside for it. Some gold, not included in the amount now under earmark, was physically transferred to Thailand.

5. The total amount of gold held by Japan at the time of surrender was approximately 182,000,000 grams (including gold under earmark).

6. The following amounts of gold found in Japan are under earmark in addition to that earmarked for Thailand and France:

(a). Gold bars aggregating 213,927.2 grams are earmarked for the Bank of Italy. This earmarking was made in 1942 pursuant to a transaction whereby the Yokohama Specie Bank purchased United States dollars from the Italian Government for Japanese diplomatic purposes in Argentina and Chile, undertaking to make repayment in Japan, 40 percent in yen and 60 percent in gold bullion. No action has yet been taken with respect to the release of this gold.

(b). There are 607,268.9 grams of gold under earmark for the Federal Reserve Bank of China, an agent of the Japanese puppet regime in China. These ingots were produced from gold mined in occupied China and sent to Japan for refining. The Federal Reserve Bank of China purchased the gold from the mining company, but the gold remained in the custody of the Bank of Japan. The Supreme Commander has indicated that he is treating this gold as looted and is submitting the question of its disposition to the Restitution Advisory Committee in Tokyo for a recommendation whether restitution should be made to China under Far Eastern Commission directives.

THE DEPARTMENT

Department Leases "Prospect House"

[Released to the press October 14]

On October 12, 1949, the Department of State leased the residence of Mrs. James Forrestal, widow of the late Secretary of Defense, for a period to run to June 30, 1950, with the right of renewal. The residence, located at 3508 Prospect Avenue, NW, and known as "Prospect House," has been leased fully furnished and will serve as a United States Government guest house for distinguished foreign visitors during the period while the White House is undergoing repairs and until the Blair Houses again become available for Department of State use.

The Department expects to have the House in operation beginning November 1. The first distinguished guest will probably be His Imperial Majesty The Shah of Iran when he arrives in Washington November 16.

Appointment of Officers

Thomas T. Carter as Chief of the Aviation Division, Office of Transport and Communications, effective October 3, 1949.

Henry A. Byroade as Director of the Office of German and Austrian Affairs, effective October 8, 1949.

Confirmations

On October 13, 1949, the Senate confirmed the nomination of Jack K. McFall to be an Assistant Secretary of State.

PUBLICATIONS

Atomic Energy Booklet for Businessmen Released

[Released to the press by AEC October 9]

A new booklet describing how to do business with the United States Atomic Energy Commission is now available from the Superintendent of Documents, the AEC announced today.

The booklet is entitled *U.S. Atomic Energy Commission Contracting and Purchasing Offices and Types of Commodities Purchased*. It has been prepared to assist businesses interested in selling products used in the national atomic energy program. It is designed particularly for the guidance of small business concerns.

October 24, 1949

The booklet answers the questions: What is bought for the AEC? Who buys it? Where are the procurement offices located? It contains lists of the supplies, materials, and equipment being purchased by or for the AEC and its contractors, the addresses of the purchasing offices and agents, and instructions on how a business firm may be considered to receive invitations to bid.

"In order to obtain business from the AEC or its contractors," the booklet states, "it is not necessary to employ counselors, advisers, or any agents or agencies. Such persons or agencies cannot perform any service which any reader of this booklet cannot perform for himself."

The booklet is available from the Superintendent of Documents, United States Government Printing Office, Washington 25, D.C. for 10 cents.

THE FOREIGN SERVICE

Confirmations

On October 13, 1949, the Senate confirmed the nomination of James Bruce to be Director of Foreign Military Assistance.

Resignations

The President on October 13, 1949, accepted the resignation of J. Klahr Huddle as American Ambassador to the Union of Burma and United States representative on the United Nations Commission for India and Pakistan. For text of the President's letter to Mr. Huddle, see White House press release of October 13, 1949.

THE CONGRESS

Legislation

Report of Activities of the National Advisory Council on International Monetary and Financial Problems. Message from the President of the United States transmitting a report of the National Advisory Council on International Monetary and Financial problems covering its operations from April 1, 1948, to September 30, 1948. H. Doc. 120, 81st Cong., 1st sess. vii, 68 pp.

The Strategy and Tactics of World Communism. Committee on Foreign Affairs. Report of Subcommittee No. 5, National and International Movements, Hon. Frances P. Bolton, Chairman, Eightieth Congress. Supplement III, Country Studies. A. The Coup D'etat in Prague. H. Doc. 154, Part 1, 81st Cong., 1st sess. v, 27 pp.

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